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ARIZONA SCHOOL LAWS

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APRIL 1, 1905





COMPLIMENTS OF

N. G. LAYTON

SUPERINTENDENT OF PUBLIC INSTRUCTION

PHOENIX, ARIZONA

ARIZONA 74

Arizona, 1905. Statutes.

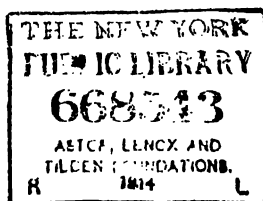
Arizona School Laws

April 1, 1905

Published by the
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PUBLIC SCHOOL LAWS.

AN ACT

TO REVISE AND CODIFY THE LAWS OF
ARIZONA.

TITLE 19. EDUCATION.

Be it Enacted by the Legislative Assembly of the Territory of Arizona :

CHAPTER ONE.

TERRITORIAL BOARD OF EDUCATION.

(As amended by the 23rd Legislative Assembly.)

SECTION 1. The Territorial Board of Education shall consist of the Governor, the Territorial Treasurer, Superintendent of Public Instruction, Principals of the Territorial Normal Schools, President of the University of Arizona, and two Principals or Superintendents of Graded or High Schools, to be appointed by the Governor of Arizona. The Governor shall be President and the Superintendent of Public Instruction shall be Secretary of said Board.

2. The Board shall meet at the call of the Secretary, at the capital of the Territory, not less than once in each year, and a concurrence of a majority of all the members of the Board shall be necessary to the validity of any act of the Board.

3. The powers and duties of the Board are as follows:

First. To adopt rules and regulations, not inconsistent with the laws of the Territory, for its own government and for the government of the public schools and school libraries.

Second. To devise plans for the increase and management of the Territorial school fund.

Third. To prescribe and enforce the use of a uniform series of text books in the public schools; provided, no change of said text books shall be considered or made by the Territorial Board of Education, except at its regular meetings, or at some special meeting thereof held for that purpose, and notice of such intention shall be communicated by the Secretary of said Board, in writing, to each County School Superintendent at least sixty days prior to the time of holding such meeting; provided, that on the adoption of a uniform series of text books, such series shall not be changed during the period of four years next succeeding the adoption of such series.

Fourth. To prescribe and enforce a course of studies in the public schools.

Fifth. To adopt a list of books for school libraries.

Sixth. To grant (1) educational diplomas valid for six years; and (2) life diplomas.

Seventh. To revoke, for immoral conduct or evident unfitness for teaching, Territorial diplomas.

Eighth. To adopt and use, in the authentication of its acts, an official seal.

Ninth. To keep a record of its proceedings.

Tenth. To grant first-grade Territorial certificates, when in their judgment it seems advisable, to graduates of universities and chartered colleges of a similar rank.

4. Territorial educational diplomas shall be issued to such persons only as have held a first-grade Territorial or county certificate for at least one year, and who shall furnish satisfactory evidence of having been successfully engaged in teaching for at least five years, and who shall be of good moral character.

5. Every application for a Territorial diploma must be accompanied by a certified copy of a resolution adopted by the Territorial Board of Examiners, recommending that the same be granted.

6. Life diplomas must be issued upon all and the same conditions as educational diplomas, except that the applicant must furnish satisfactory evidence of having been successfully engaged in teaching for at least ten years, and in addition thereto, the applicant must pass an examination in pedagogy, history of education, school economy and school government.

7. All diplomas issued by said Board shall be signed by a majority of the members of said Board.

8. Every person receiving a Territorial diploma must pay to the Board five dollars to defray the expenses of issuing said diploma.

CHAPTER TWO.

TERRITORIAL BOARD OF EXAMINERS.

SEC. 9. The Territorial Board of Examiners shall consist of the Superintendent of Public Instruction and two competent persons appointed by him, a majority of whom shall constitute a quorum.

10. The Superintendent of Public Instruction shall be Chairman of the Board.

11. The Board must meet at such times and places as the Chairman directs, and must hold at least two sessions in each year.

12. The Board has power:

First. To adopt rules and regulations governing the examination of applicants for Territorial certificates, and for the government of County School Superintendents in conducting the examination of such applicants for certificates.

Second. To prepare questions for the examination of teachers, and to forward the same to the County School Superintendents for use in the quarterly examinations, which questions shall be divided into four lots, each lot to be enclosed in separate envelope, which shall be sealed with wax bearing the imprint of the seal of the Territorial Board of Examiners, and shall be forwarded to the School

Superintendent of each county. The School Superintendent of each county, in the presence of any two qualified county officials and of the applicants for teachers' certificates, shall open one lot of said questions and distribute same to the applicants at each session of the examination, and there shall be no interruption of said session until each applicant shall have handed in to the said School Superintendent his or her examination paper.

Third. To grant recommendations for life and educational diplomas.

Fourth. To grant Territorial certificates of the first grade, valid for four years.

Fifth. To grant Territorial certificates of the second grade, valid for three years.

Sixth. To revoke certificates of teachers who are guilty of immoral conduct or are unfit to teach.

Seventh. The Board may, at the expiration of the time for which they were granted, renew certificates for a like period for which they were originally granted.

13. Every applicant for a first-grade Territorial certificate must be examined by written and oral questions in algebra, geography, history and civics, physiology, hygiene, with special reference to the nature and the effects of alcoholic drinks and other narcotics and stimulants upon the human system, natural philosophy, orthography, defining, penmanship, composition, reading, method of teaching, grammar, arithmetic and the school laws of Arizona. Applicants for a second-grade certificate shall not be required to pass an examination in algebra or natural philosophy.

14. The standing in each study must be endorsed upon the certificate, otherwise it is not a valid certificate.

15. Normal School diplomas from any State Normal School in the United States, and life diplomas issued by the State Board of Examination or Education in any State of the United States must be recognized by this Territory as prima facie evidence of fitness for teaching; and the Board may, on application of the holders thereof,

issue, without examination, Territorial certificates, and fix the grade thereof.

16. The members of the Board shall receive each an annual salary of two hundred dollars, payable out of the Territorial School fund on the warrant of the Territorial Auditor.

CHAPTER THREE.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

(As amended by the 22nd Legislative Assembly.)

SEC. 17. It is the duty of the Superintendent of Public Instruction:

First. To superintend the Public Schools of this Territory.

Second. To investigate all accounts of school moneys kept by any Territorial, County or District officer.

Third. To apportion, subject to the supervision of the Territorial Board of Education, to the several counties on the second Monday in January, June and September of each year, or whenever there are two thousand dollars in the Territorial School Fund, the amount of money to which each county may be entitled under the provisions of this title, according to the number of persons between the ages of six and twenty-one years, as shown by the last census list of the several counties, and to furnish each County Treasurer and County Superintendent with an abstract of such apportionment. He shall also certify such apportionment to the Territorial Auditor, and upon such certificate, the Auditor shall forthwith draw his warrant on the Territorial Treasurer in favor of the County Treasurer of each county for the amount due said county.

Fourth. To prescribe suitable forms and regulations for making all reports for conducting all proceedings under this title, and shall cause the same, with such instructions as he may deem necessary and proper for the organization and government of schools, to be transmitted to the County Superintendents for distribution to the district officers and teachers, who shall be governed in accordance

therewith. He shall prepare a convenient form of school register for the purpose of securing accurate returns from the teachers of public schools, and shall furnish each County Superintendent with a sufficient number to supply at least one copy to each district or school of such county. He shall also supply such blank teachers' certificates as may be prescribed for the use of the Territorial Board of Education and Territorial Board of Examiners, also the course of study, rules and regulations of schools, a list of such books as may be recommended by the Territorial Board of Education for school libraries, and such suggestions on school architecture as he may deem useful. He shall certify the cost of printing such blanks, registers, certificates and course of study to the Territorial Auditor, who shall draw his warrant on the Territorial Treasurer in favor of the person to whom said amount is due, and the Treasurer shall pay said warrant out of any money in the Treasury to the credit of the Territorial School Fund; provided, the cost of printing said blanks, registers, certificates and pamphlets shall not exceed the sum of eight hundred dollars annually.

Fifth. He shall not be required to visit the public schools in the different counties, but shall communicate by mail with the several County School Superintendents.

Sixth. To make a printed report on or before the first day of October preceding each regular session of the Legislature to the Governor, who shall transmit a copy thereof to the Legislature. Said report shall contain a full statement of the condition and amount of all funds and property apportioned for the purposes of education, the number and grade of schools in each county, the number of children in each county between the ages of six and twenty-one years, the number of such attending public schools, also the number of children between the ages of eight and fourteen years, the average number of children that have attended the public schools during the two school years previous to July 1st of that year, the number attending private schools, the number that can read and write, the amount of school money raised by county taxation, district taxation, or otherwise, the amount expended for

salaries of teachers and for building of school houses, a statement of plans for the management and improvement of public schools, and such other information relative to the educational interests of the Territory as he may deem expedient. He shall certify the cost of printing said report to the Territorial Auditor, who shall draw his warrant on the Territorial Treasurer in favor of the person to whom said amount is due, and the Treasurer shall pay said warrant out of any money in the treasury to the credit of the Territorial School Fund; provided, the cost of printing said report does not exceed the sum of three hundred and fifty dollars.

Seventh. To have the law relating to public schools printed in pamphlet form, and, annexed thereto, such forms as he may be unable to supply in the shape of blanks. He shall certify to the cost of printing such pamphlet to the Territorial Auditor, who shall draw his warrant on the Territorial Treasurer in favor of the person to whom said warrant is due, and the Treasurer shall pay said warrant out of any money in the Treasury to the credit of the Territorial School Fund; provided the cost of printing said pamphlets shall not exceed the sum of three hundred and fifty dollars.

Eighth. To supply school officers and teachers, school libraries and the Territorial Library with one copy of each of the pamphlets mentioned in the preceding subdivision.

Ninth. To authenticate, with the official seal of the Board of Education, all writings and papers issued from this office.

18. To deliver over, at the expiration of his term of office, to his successor, all property, books, documents, maps, records, reports and other papers belonging to his office, or which may have been received by him for the use of his office.

19. The office of the Superintendent of Public Instruction shall be at some place where there is a postoffice, and he shall receive a salary of eighteen hundred dollars per annum, which shall be paid quarterly out of the Territorial School Fund, upon warrants drawn by the Auditor.

CHAPTER FOUR.

COUNTY SCHOOL SUPERINTENDENT.

SEC. 20. It shall be the duty of the County School Superintendent of each county :

First. To apportion the school moneys to each district of his county, and notify the County Treasurer, in writing, of the amount apportioned to each district, and also to immediately notify, in writing, the Trustees of each school district in his county the amount apportioned to their several districts at said apportionment.

Second. On the order of the Board of School Trustees of any district, to draw his warrant on the County Treasurer for all necessary expenses against the school fund of any such districts, the warrants must be drawn in the order in which the vouchers therefor are filed in his office. No warrant shall be drawn unless the money is in the proper fund to pay it, and no warrant shall be drawn upon the order of the Board of Trustees against the county school fund, for any district, except for teachers' salaries, unless such order is accompanied by an itemized bill showing the separate items, and the price of each, in payment for which the order is drawn, nor shall any warrant for teachers' salaries be drawn unless the voucher shall state the monthly salary of the teacher and the name of the school month for which such salary is due. Upon receipt of such voucher, the County Superintendent shall draw his warrant upon the County Treasurer in favor of the parties, and for the amount stated in such voucher; provided, that no warrant shall be drawn in favor of any school district or teacher thereof unless monthly reports or fractional reports of a month for that district have been filed with the County School Superintendent; to keep open to the inspection of the public a register of warrants, showing the fund upon which the warrants have been drawn, the number thereof, in whose favor, and for what service drawn, and also a receipt from the person to whom the warrant was delivered. He shall, at each quarterly meeting of the Board of Supervisors of his county, make a written report of all warrants drawn upon the school

fund, and for what purpose, and, if required, shall exhibit vouchers therefor.

Third. To preside over Teachers' Institutes held in his county, and to secure the attendance thereat of lecturers competent to instruct in the art of teaching, to enforce the course of study, the use of text books, and the rules and regulations for the examinations of teachers prescribed by the proper authority.

Fourth. To conduct quarterly examinations of teachers for certificates in accordance with the rules of the Territorial Board of Examiners, and to forward to said Board all answer papers, unmarked, submitted by the applicants for certificates. He shall receive for conducting such examinations fifty dollars per annum, payable out of the county school funds.

Fifth. To certify to the Territorial Board of Examiners the names of persons who appeared before him for examination.

Sixth. To distribute all laws, reports, circulars, instructions and blanks which he may receive for the use of school officers.

Seventh. To keep in his office the reports of the Superintendent of Public Instruction, the reports of the School Trustees, Marshals and teachers received by him; to record all official acts in a book to be provided for that purpose, and at the close of his term of office to deliver over to his successor such records and all documents, books and papers belonging to his office, and to take a receipt for the same, which shall be filed in the office of the County Treasurer.

Eighth. To keep a record of his official acts.

Ninth. To pass upon, approve or reject accounts against school districts.

Tenth. To appoint Trustees of school districts to fill all vacancies caused by a failure to elect or otherwise. Such appointees shall hold office for the full period of the vacant term.

Eleventh. To make reports, when directed by the

Superintendent of Public Instruction, showing such matters relating to public schools in his county as may be required of him on the blanks furnished him by the Superintendent of Public Instruction.

Twelfth. To notify immediately the Board of School Trustees of the several districts in his county, upon the receipt of notice from the Territorial Board of Education, of any meeting to be held by them for the purpose of examining or inquiring into the expediency of a change of text books, as provided in Subdivision Three (3) of Section Three of this Title.

Thirteenth. In counties of the first class, he shall visit each and every school in his county at least twice a year; he shall advise and consult with teachers and School Trustees as to the better methods of conducting the schools; and in counties other than first class, shall visit each school in his county at least once each school term, to confer with the teachers and school officers as to the best methods of conducting schools, and audit the financial accounts. In addition to the salary already allowed by law, shall receive his traveling expenses, not to exceed one hundred and fifty dollars per year. Such expense account shall be audited and allowed by the Board of Supervisors as other claims are audited and allowed, and shall be paid out of the general school fund.

21. If he fails to make a full and correct report required under the provisions of this title at the time fixed by the Superintendent of Public Instruction, he forfeits fifty dollars of his salary, and the Board of Supervisors, upon receiving notice from the Superintendent of Public Instruction of such failure, must deduct the amount forfeited from his salary.

22. He may, when there is sufficient money in the fund of any school district to maintain a school therein for five months, if the Trustees fail or refuse to have such school kept, appoint a teacher and open and keep open such school, and may draw his warrant upon the fund of such school district for the expenses incurred.

23. He may, at his discretion, require the Trustees of

any district to repair the school buildings or property, or to abate any nuisance in or about the premises, if such repairs or abatement can be done for a sum not exceeding fifty dollars, and there is a sufficient amount of money in the treasury to the credit of the district. He may also, in all cases, require the Trustees to provide suitable out-houses; and if the Trustees neglect to make such provision, he may cause it to be done and pay for it on his warrant on the County Treasurer, payable out of any money to the credit of the district; provided, said warrant shall be countersigned by the Chairman of the Board of Supervisors.

24. The County School Superintendent shall, unless otherwise provided by law, in the month of September in each year, grade each school, and a record thereof shall be made in a book to be kept by the County School Superintendent in his office for said purpose, and no teacher holding a certificate below the grade of said school shall be employed to teach the same; provided, that in cases where it is impracticable to obtain a teacher holding a certificate of the proper grade for any part of a school year, the Board of Trustees of any district may employ a teacher holding a certificate in the next lower grade, subject, however, to the approval of the County Superintendent. All schools shall be designated as primary or grammar.

25. Each County School Superintendent may, in writing, appoint a deputy, such appointment to be filed in the office of the County Recorder, and no salary payable out of the school fund shall be allowed such deputy. Such deputy shall qualify by taking the usual oath of office and filing the same in the office of the County Recorder, and shall have and exercise the same powers as the County School Superintendent, who shall be responsible upon his bond for the official acts of his deputy.

26. It shall be the duty of every County School Superintendent to inquire and ascertain if the boundaries of the school districts in his county are definitely and plainly described in the records of the Board of Supervisors, and to keep in his office a full and correct transcript of such

boundaries. In case the boundaries of districts are conflicting or incorrectly described, he shall, upon order of the Board of Supervisors, change, harmonize and describe them, and make a report of such action to the Supervisors and, on being ratified by the Supervisors, the boundaries and description so made shall be the legal boundaries and description of the districts of that county.

27. The County School Superintendent and his deputy are hereby authorized to administer oaths or affirmations to teachers, and all other oaths or affirmations relating to schools, and shall receive no compensation therefor.

28. The salaries of the County School Superintendent shall be one thousand five hundred dollars annually, in counties of the first class, and three hundred dollars annually in all other counties, in all counties payable quarterly out of the county school fund. All warrants for salary, postage and expressage shall be countersigned by the Chairman of the Board of Supervisors.

CHAPTER FIVE.

TEACHERS' INSTITUTE.

SEC. 29. That hereafter every applicant for a teacher's certificate or other authority to teach, upon presenting his or her application, shall pay the County School Superintendent a fee of two (2) dollars, to be by him immediately deposited with the County Treasurer to the credit of a fund to be known as Teachers' Institute Fund. All funds so credited shall be drawn out only upon the warrant of the County School Superintendent upon the County Treasurer in payment of the expense of County Teachers' Institute.

30. Whenever the number of school districts in any county is ten or more, the County School Superintendent thereof shall hold at least one Teachers' Institute in each year, and shall notify the teachers in each district of the time and place of holding said Institute, and every teacher

employed in a public school in the county shall attend such Institute and participate in its proceedings, unless good cause is shown for non-attendance.

31. Each session of the Institute must continue not less than three nor more than five days.

32. When the Institute is held during the time that teachers are employed in teaching, their pay must not be diminished by reason of their attendance, and each teacher in attendance shall be allowed mileage at the rate of ten cents a mile, one way, from his or her school to the Institute, to be computed by the most direct line, and shall be paid out of the Institute Fund, after paying the other expenses of the Institute; if there is not enough money in such fund to pay such mileage, then said money shall be prorated among the teachers in attendance.

33. The County School Superintendent must keep an accurate account of the actual expenses of said Institute, with vouchers for the same, and draw his warrant on the County Treasurer, payable out of the Teachers' Institute Fund; provided, that such amount drawn does not exceed the amount of the Teachers' Institute Fund in the hands of the County Treasurer.

34. The Superintendents of two or more counties may unite and hold a joint Institute, in which case the expenses must be apportioned between the counties joining in the Institute; provided, such expenses do not exceed twenty-five dollars for each county.

CHAPTER SIX.

SCHOOL DISTRICTS.

SEC. 35. Each regularly organized school district heretofore formed, or that may be formed, shall be designated as School District No..... (using the number of the district), of..... County (using the name of the county in which such district is situated), and in that name the Trustees may sue and be sued, and hold and

convey property for the use and benefit of such district.

36. No new districts can be formed unless the parents or guardians of at least ten school census children, resident of such proposed new district, and residing at a greater distance than two miles from any district school house, present a petition to the County School Superintendent setting forth the boundaries of the new district asked for; provided, however, that in districts containing more than two hundred and fifty school census children, as shown by the next preceding school census, upon a petition signed by the residents of the district who pay a majority of the taxes in said district, a new district may be formed by the subdivision of the old one, even if the distance be less than two miles from the district school house.

37. After giving due notice to all parties interested by posting notices in three public places in the district, one of which shall be at the door of the school house for at least one week, the County School Superintendent must transmit the petition to the Board of Supervisors, with his approval or disapproval. If he approves the petition, he may note such changes in the boundaries as he may think desirable.

38. The Board of Supervisors must at their first meeting after the receipt of the petition act upon the same. If the Board establishes the district they may do so in accordance with the prayer of the petition, or with such modifications as they may choose to make.

39. No new district formed by the subdivision of an old one is entitled to any share of the public moneys belonging to the old one until a school has been actually commenced in such new district.

40. Unless within four months after the making of an order creating a new district, school is opened therein, the order will cease to have effect.

41. When a new district is formed by the division of an old one, the County School Superintendent must, after the payment of the debts, divide the money to the credit of the old district at the time school was commenced in

the new district, and such as may be apportioned to the old district, according to the number of school census children resident in each district, for which purpose he may order a census taken.

42. An election shall be held on the last Saturday of March in each year, and at such election there shall be elected one Trustee in each school district, who shall hold office for the term of three years from the Saturday in April next succeeding his election. At the first election held in a newly formed district, three School Trustees shall be elected, one for a term of one year, one for a term of two years, and one for a term of three years from the first Saturday in April next succeeding his election. The election provided for in this section must be held in the district school house, if there is one, and if there is none, at a place to be designated by the Board of School Trustees.

43. The Clerk of each School Board shall cause written or printed notices to be posted, specifying the day and the place of such election and the time during which the ballot-box will be kept open. Said notices shall be posted in at least three public places in the district, one of which shall be at the school house, if there be one, at least fifteen days previous to the time of election. If the Clerk fail to give such notice, then any two legal voters residing in the district may give similar notice of such election at least ten days prior thereto.

44. The Trustees must appoint the inspector, judges and clerk of election; if none are so appointed, or if those appointed are not present at the time of opening the polls the electors present may select them.

45. The polls must be opened at 9 o'clock a. m. and closed at 4 o'clock p. m.

46. All elections shall be by ballot.

47. Every person, male or female, of the age of twenty-one years or over, who is a citizen of the United States, and who has been a resident of the district for thirty days immediately preceding the day of election, and who is the parent or guardian of a child of school age residing in the district, or who has paid a Territorial or

county school tax, exclusive of poll tax, during the preceding year, is eligible to election to the office of Trustee, and shall be entitled to vote at any school district election; provided, that every woman offering to vote at such election (who is otherwise qualified under this section) and whose husband or father is or was a citizen of the United States, shall be treated and considered as a citizen of the United States for the purpose of voting at such election. Any person offering to vote may be challenged by any legally qualified elector of the district, and the Judges must thereupon administer the following oath to the person challenged: "You do solemnly swear that you are a citizen of the United States and are now, and have been, a resident of this school district during the thirty days preceding this election; that you are the parent or guardian of a child of school age in this school district, or that you have paid in this county a Territorial or county school tax during the past year, and that you have not voted at this election, so help you God." If he or she takes the oath prescribed in this section, his or her vote must be received, otherwise the vote must be rejected.

48. A poll and tally list must be kept and returned to the Board of Trustees.

49. The officers of election, must, after counting the votes, make and deliver certificates of election to the persons elected, a copy of which, with the oath of office attached, must be forwarded to the County School Superintendent; said Trustees are hereby authorized to administer to each other the oath of office.

50. The powers and duties of Boards of Trustees of school districts are as follows:

1. It shall be the duty of the Trustees, any two of whom shall constitute a quorum for the transaction of business, to meet as soon as practicable after the commencement of their term of office, at such place in the district as may be most convenient, and to organize by appointing one of their number Clerk of the Board and notifying the County School Superintendent of the same.

2. To prescribe and enforce rules not inconsistent

with law or those prescribed by the Territorial Board of Education for their own government and the government of schools.

3. To manage and control the school property within their district.

4. To purchase school furniture and apparatus, and such other things for the use of schools as may be necessary.

5. To rent, furnish, repair and insure the school property of their respective districts.

6. When directed by a vote of their district, to build such houses, or to purchase or sell school lots.

7. To make, in the name of the district, conveyances of all property belonging to the district and sold by them.

8. To employ under a written contract, teachers, janitors and employees of schools; to fix and order paid their compensation. Boards of Trustees may at any time after the annual school election and qualification of new members of the School Board, enter into contract for teachers, janitors and other employees for the next succeeding school year. No relation of any Trustee shall be employed in the district where he is Trustee except by unanimous consent of Trustees.

9. To expel pupils for misconduct.

10. To exclude from school children under six years of age.

11. To enforce in schools the course of study and the use of the text books prescribed and adopted by the proper authority.

12. To appoint district librarians and enforce the rules prescribed for the government of school libraries.

13. To exclude from schools and school libraries all books, publications or papers of a sectarian, partisan or denominational character.

14. The School Board of Trustees of any school district may, with the concurrence of the School Board of Trustees of any other district or districts, admit pupils

from either of said districts to a school within its own district; provided, however, that said pupils shall be enumerated in the district where they may attend, and in case the Trustees fail to agree, the parents of such children may appeal to the County School Superintendent, whose decision shall be final.

15. On the first day of May, eighteen hundred and ninety-one, and every year thereafter, to appoint a school census marshal and notify the County School Superintendent thereof.

16. To make an annual report on or before the first day of July to the County School Superintendent, in the manner and form, and on the blanks prescribed by the Superintendent of Public Instruction or County School Superintendent.

17. To make a report whenever required, directly to the Superintendent of Public Instruction, or to the County School Superintendent.

18. To visit every school in the district at least once in each quarter, and examine carefully into its management, condition and wants.

19. Boards of Trustees shall call meetings of the qualified school electors of the district for determining or changing the location of the school house, or for consultation in regard to any litigation in which the district may be engaged, or be likely to become engaged, or in regard to any other affairs of the district, or upon a petition of one-third of the qualified school electors of their district.

51. Such meetings shall be called by posting notices in the usual places for not less than ten days previous to the time for which the meeting shall be called; which notices shall specify the purposes for which said meeting shall be called; and no other business shall be transacted at said meeting. District meetings shall be organized by choosing a chairman from the electors present, and the District Clerk shall be clerk of the meeting and enter the minutes thereof in the records of the District. At any such

meeting any person attempting to vote on any question arising before said meeting may be challenged in the same manner and with like force and effect as prescribed in Section 47.

52. A meeting thus called shall be competent to instruct the Board of Trustees:

1. In regard to the location or change of location of a school house.

2. In regard to purchase and sale of school sites.

3. In regard to the erection of school buildings.

4. In regard to prosecuting, settling or compromising any litigation in which the district may be engaged or likely to become engaged. All funds raised by sale of school property may be disposed of by direction of a district meeting; provided, that said funds so raised shall be used for school purposes only. District meetings may be adjourned from time to time as found necessary; and all votes instructing the Board of Trustees shall be taken by ballot; the Board of Trustees shall be bound by the instructions of the district meeting in regard to the subjects mentioned in this section. All moneys due any school district from the sale of any school property shall be paid by the purchaser of said property to the County Treasurer, who shall place the same to the credit of the district making such sale, and shall furnish such purchaser a receipt for said money, and notify the County School Superintendent of the same.

5. In regard to establishing, assisting, supporting or maintaining kindergarten schools for the instruction of children under six years of age, or granting the use of school property for such purpose. The Board of Trustees, when instructed thereto by such meeting, may establish kindergarten schools for the purpose of instructing children under the age of six years during such period in each year as may be determined upon by such meeting; may purchase and supply therefor proper and needful kindergarten material and accessories, or contribute toward the purchase thereof; may employ competent teachers therefor, and use or devote any part of the school funds to the

credit of such district for the maintenance and support thereof, or they may grant the use of all or any portion of the school property or buildings for such kindergarten, provided, that such use shall not conflict with the regular public school uses, or they may assist or contribute toward the support of a private kindergartenschool to be selected by the meeting, such amounts as directed; provided, that in all cases the meeting may direct that any portion of the expenses shall be assessed per capita upon the pupils enrolled or attending. And in any case the Board of Trustees may at their option require the teacher of such school to pass a special examination in such manner as they may prescribe, or may require such teacher to furnish satisfactory evidence of his or her fitness and qualifications for such special kindergarten instruction. The teachers of such schools shall make like reports as are required of teachers of public schools. And the vouchers issued by the Board of Trustees for payments of expenses incurred under the provisions of this subdivision shall be honored and paid by the County Treasurer upon the warrant of the County Superintendent, which shall be issued thereon under the same conditions and subject to the same restrictions as apply to other vouchers and warrants.

53. The Board of Trustees of any school district may, when in their judgment it is advisable, and must upon petition of a majority of the heads of families residing in the district, call an election and submit to the taxpayers of the district whether the bonds of such district shall be issued and sold for the purpose of raising money for purchasing or leasing school lots, and for building one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

54. Such election must be called by posting notices, signed by the Board, in three of the most public places in the district, for not less than twenty days before the election; and if there is a newspaper published in the

county, by publishing such notice therein not less than once a week for three successive weeks.

55. Such notice must contain :

1. The name and place of holding such election.
2. The names of three Judges to conduct the same.
3. The hours during the day (not less than six hours) which the polls will be open.
4. The amount and denomination of the bonds, the rate of interest, and the number of years, not exceeding twenty, the whole or any part of said bonds are to run.

56. Such election shall be held, except as otherwise provided in this Title, in conformity with the general election laws of the Territory of Arizona, excepting the words to appear upon the ballots, which shall be, "Bonds, yes"; or, "Bonds, no."

57. On the seventh day after said elections, at one o'clock p. m., the returns having been made to the Board of Trustees, the Board must meet and canvass said returns; and if it appear that two-thirds of the votes cast at said election were in favor of issuing such bonds, then the Board shall cause an entry of that fact to be made upon its minutes, and shall certify to the Board of Supervisors of the county all the proceedings had in the premises, and thereupon said Board of Supervisors shall be and they are hereby authorized and directed to issue the bonds of such district, to the number and amount provided in such proceedings, payable out of the Building Fund of such district, naming the same, and that the money shall be raised by taxation upon the taxable property in said district for the redemption of said bonds and the payment of the interest thereon; provided, that no school district shall issue bonds for the purposes herein specified to an amount in the aggregate, including its existing indebtedness, exceeding four per centum on the value of the taxable property within such school district, to be ascertained by the last assessment for Territory and county taxes previous to the issuing such bonds.

58. The Board of Supervisors, by an order entered

upon its minutes, shall prescribe the form of said bonds, and of the interest coupons attached thereto, and must fix the time when the whole or any part of the principal of said bonds shall be payable, which shall not be more than twenty years from the date thereof.

59. Said bonds must not bear a greater amount of interest than seven per cent, said interest to be payable annually; and said bonds must be sold in the manner prescribed by the Board of Supervisors, but not for less than par, and the proceeds of the sale thereof must be deposited in the county treasury to the credit of the Building Fund of said school district, and be drawn out for the purpose aforesaid, as other school moneys are drawn.

60. The Board of Supervisors, at the time of making the levy of taxes for county purposes, must levy a tax for that year upon the taxable property in such district, for the interest and redemption of said bonds, and such tax must not be less than sufficient to pay the interest of said bonds for that year and such portion of the principal as is to become due during such year, and in any event must be high enough to raise, annually, for the first half of the term said bonds have to run, a sufficient sum to pay the interest thereon, and during the balance of the term high enough to pay such annual interest, and to pay, annually, a proportion of the principal of said bonds equal to a sum produced by taking the whole amount of said bonds outstanding and dividing it by the number of years said bonds then have to run; and all money so levied, when collected, shall be paid into the county treasury to the credit of the Building Fund of such district, and be used for the payment of principal and interest on said bonds, and for no other purpose. The principal and interest on said bonds shall be paid by the County Treasurer upon the warrant of the County School Superintendent out of the fund provided therefor; and it shall be the duty of the County School Superintendent to cancel and file with the Treasurer the bonds and coupons as rapidly as they are paid.

61. If the Board of Supervisors of any county which has issued bonds under the provisions of this Title shall

fail to make the levy necessary to pay such bonds or interest coupons at maturity, and the same shall have been presented to the County Treasurer, and the payment thereof refused, the owner may file the bond, together with all unpaid coupons, with the Territorial Auditor, taking his receipt therefor, and the same shall be registered in the Territorial Auditor's office; and the Territorial Board of Equalization shall at their next session and at each annual equalization thereafter add to the Territorial tax to be levied in said district, a sufficient rate to realize the amount of principal or interest past due prior to next levy, and the same shall be levied and collected as a part of the Territorial tax, and paid into the Territorial treasury, and passed to the special credit of such district bond tax, and shall be paid by warrants, as the payments mature, to the holder of such registered obligations as shown by the register in the office of the Territorial Auditor until the same shall be fully satisfied and discharged, any balance then remaining being passed to the general account and credit of said district.

62. Whenever any bonds issued under the provisions of this Title shall remain unsold for the period of six months after having been offered for sale in the manner prescribed by the Board of Supervisors, the Board of Trustees of the school district for or on account of which such bonds were issued, or of any school district composed wholly or partly of territory which at the time of holding the election mentioned in Section Four was embraced within the district for or on account of which such bonds were issued, may petition the Board of Supervisors to cause such unsold bonds to be withdrawn from market and cancelled. Upon receiving such petition, signed by a majority of the members of said Board of Trustees, the Supervisors shall fix a time for hearing the same, which shall not be more than thirty days thereafter, and shall cause a notice, stating the time and place of hearing and the object of the petition in general terms, to be published for ten days prior to the day of hearing in some newspaper published in said school district, if there is one, and if there is no newspaper published in said school district,

then in a newspaper published at the county seat of the county in which such school or some part thereof is situated. At the time and place designated in the notice of hearing said petition, or at any subsequent time to which said hearing may be postponed, the Supervisors shall hear any reasons that may be submitted for or against the granting of the petition, and if they shall deem it for the best interests of the school district named in the petition that such unsold bonds be cancelled, they shall make and enter an order in the minutes of their proceedings that said unsold bonds are cancelled and thereupon said bonds and the vote by which they were authorized to be issued shall cease to be of any validity whatever.

63. Boards of Trustees must maintain all the schools established by them for an equal length of time during the year, and, as far as practicable, with equal rights and privileges. The minimum school term in fifth and sixth class counties shall be three months.

64. Writing paper, pens, ink and slate pencils and crayons for the use of schools must be furnished under the direction of the Board of Trustees.

65. Boards of Trustees must use the school moneys received from the Territorial and county apportionments exclusively for the payment of teachers and contingent expenses for that school year, until at least a six months' school shall have been maintained; and if at the end of any year there is an unexpended balance, it may be used for the payment of claims against the district for teachers' salaries and contingent expenses, or it may be used for maintaining school the following year.

66. If any Board of Trustees fail to appoint a Census Marshal at the proper time, and through such failure the district is omitted in the apportionment of school moneys, then in such case the Trustees are hereby made, jointly and severally, personally liable to the district for the full amount which the district would have received but for such failure.

67. Boards of Trustees are liable as such, in the name of the district, for any judgment against the district, for

salary due any teacher on contract, and for all debts contracted under the provisions of this Title, and they shall pay such judgments or liabilities out of the school moneys to the credit of such district.

AN ACT

RELATING TO MUSIC AND DRAWING IN SCHOOLS.

(As Amended by the 23rd Legislative Assembly.)

SECTION 1. The Board of Trustees of any school district within the Territory of Arizona is hereby authorized and empowered to employ teachers of music and drawing, if they deem it for the best interest of their respective school districts so to do.

SEC. 2. That the said teachers of music and drawing shall not be required to pass an examination and secure a certificate authorizing them to teach in the public schools of the Territory, as is required of other teachers.

AN ACT

RELATING TO THE UNITED STATES FLAG.

Be it Enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. It shall be the duty of the school authorities of every public school in the several school districts of the Territory of Arizona to purchase a United States flag, flagstaff, and the necessary appliances therefor, and to display such flag upon or near the public school building during school hours, and at such other times as such school authorities may direct.

SEC. 2. The said school authorities shall establish rules and regulations for the proper custody, care and display of the flag, and when the weather will not permit it to be otherwise displayed, it shall be placed conspicuously in the principal room in the school house.

SEC. 3. It shall be the duty of the Territorial Superintendent of Public Instruction to prepare for the use of the public schools of the Territory a program providing for a salute to the flag at the opening of each day of school, and such other patriotic exercises as shall be deemed by him to be expedient, under such regulations and instructions as may best meet the requirements of the different grades in such schools. It shall also be his duty to make special provision for the observance in such public schools of Lincoln's Birthday, Washington's Birthday, Memorial Day and Flag Day, and such other legal holidays of like character as may be hereafter designated by law.

SEC. 4. The Territorial Superintendent of Public Instruction is hereby authorized to provide for the necessary expenses incurred in developing and encouraging such patriotic exercises in the public schools by an apportionment, subject to the supervision of the Territorial Board of Education, from the Territorial School Fund of the amount of money to which each county may be entitled to carry into effect the provisions of this Act, and furnish each County Treasurer and County Superintendent with an abstract of such apportionment. He shall also certify to the Territorial Auditor, and upon such certificate the Auditor shall forthwith draw his warrant on the Territorial Treasurer in favor of the County Treasurer of each county for the amount due said county.

SEC. 5. Nothing herein contained shall be construed to authorize military instruction or drill in the public schools during school hours.

SEC. 6. This Act shall be in force from and after its passage.

Approved March 13th, 1903.

CHAPTER SEVEN.

DISTRICT CENSUS MARSHALS.

SEC. 68. 1. It shall be the duty of the Census Marshal to take the census of all the children between six and twenty-one years of age in his district.

2. To report the result of his labors to the County School Superintendent on or before the first day of July of the year in which the census is taken.

69. His report must be made under oath, upon blanks furnished by the Superintendent of Public Instruction and must show:

1. The number, age, sex, color and nationality of children listed, Indians and Chinese excepted.

2. The names of parents and guardians of said children.

3. The number of children between the ages of six and twenty-one.

4. The number of children between the ages of eight and fourteen.

5. The number attending private schools.

6. The number attending private schools.

7. The number not attending school.

8. Such other facts as the Superintendent of Public Instruction may designate.

70. He must include in his report, all children that are absent, attending institutions of learning, but whose parents or guardians are residents of the district.

71. He must not include in his report children who are attending school in his district, but whose parents do not reside therein.

72. He shall visit each habitation, home, residence, domicile or place of abode in his district, and by actual observation and interrogation enumerate the census children of the same.

73. Whenever a district is formed lying partly in two adjoining counties, the Census Marshal must report to each County School Superintendent the number of children in each county within the district.

74. The Census Marshal shall have power to administer oaths to parents and guardians.

75. If at any time the County School Superintendent has reason to believe that a correct report has not been

returned, he may appoint a Census Marshal, have the census retaken, and the compensation for the same shall be paid out of the school fund of that district, on a warrant on the County Treasurer, countersigned by the Chairman of the Board of Supervisors.

76. The compensation of Census Marshals must be audited and paid as other claims allowed by the Trustees of the district are audited and paid. If the Census Marshal neglect or refuse to make his report at the time and in the manner herein required; he shall be deemed guilty of a misdemeanor, and on conviction be punished by a fine not exceeding one hundred dollars, or imprisonment for not more than three months.

CHAPTER EIGHT.

CLERKS OF SCHOOL DISTRICTS.

SEC. 77. It is the duty of the Clerk:

1. To Act as Clerk of the Board and keep a record of its proceedings without compensation.
2. To keep an itemized account of the receipts and expenditures of school moneys.
3. To keep his records and the accounts open to the inspection of the electors of the district.
4. To discharge such other duties as may be prescribed by the Board. •

78. The Clerk of each district must, under the direction of the Board of Trustees, provide all school supplies, and keep the school house in repair during the time the school is taught therein. No order on any County School Superintendent for any teacher's salary, or other expense, shall be valid unless signed by at least two members of the Board of Trustees.

79. The Clerk may act as Assessor, Collector or Marshal, in which case he must be paid the same compensation which would have been allowed by the Board to any other person.

CHAPTER NINE.

SCHOOLS.

SEC. 80. The school year shall begin on the first day of July and end on the last day of June.

81. A school month is considered and taken to be twenty school days or four weeks of five days each; provided, that when any of the following days: the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the twenty-fifth day of December, the annual Thanksgiving Day, occur within the school week, the schools shall be closed, and the pay of the teacher shall not be diminished on that account.

82. Every school, unless otherwise provided by law, must be open for the admission of children between six and twenty-one years of age, residing in the district. And the Board of Trustees have power to admit adults and children not residing in the district but within the Territory, whenever good reasons exist therefor. Trustees shall have the power to exclude children of filthy or vicious habits, or children suffering from contagious or infectious diseases.

83. All schools not otherwise provided by law, may be divided into primary and grammar schools.

84. All schools must be taught in the English language.

85. Instruction must be given in the following branches, viz: Reading, writing, orthography, arithmetic, geography, grammar, history of the United States, elements of physiology, hygiene including the nature of alcoholic drinks and narcotics and special instruction as to their effect upon the human system, elements of book-keeping, industrial drawing, and such other studies as the Territorial Board of Education may prescribe, but no such other studies can be pursued to the neglect or exclusion of the studies enumerated.

86. Instruction must be given during the entire school course in manners and morals.

87. No school must be continued in session more than six hours a day, and no pupil under eight years of age must be kept in school more than four hours a day.

88. No books, tracts or papers of a sectarian character shall be used in, or introduced into any school established under the provisions of this Title, nor shall any sectarian doctrine be taught therein, nor shall any school whatever under the control of any religious denomination, or which has not been taught in accordance with the provisions of this Title, receive any of the public school funds, and upon satisfactory evidence of such violation the County School Superintendent must withhold all apportionments of school moneys from said school.

CHAPTER TEN.

HIGH SCHOOLS.

(As Amended by the 22nd Legislative Assembly.)

SEC. 88. Any school district of one thousand or more inhabitants may, by a majority vote of the qualified electors thereof, establish and maintain a High School; or two or more adjoining school districts having a joint population of one thousand or more inhabitants, may unite and form a Union High School district, for the purpose of establishing and maintaining a High School therein at the expense of such district or Union High School district.

89. When a majority of the Board of Trustees of a district in which there are one* thousand or more inhabitants, or a majority of the Trustees of two or more adjoining districts shall unite in a petition to the County Superintendent, accompanied by a petition for the establishment of such High School, signed by not less than one hundred resident electors of such district or districts, it shall be the duty of the County School Superintendent within twenty days to call an election for the determination of such question. Public notices of such election,

* As amended by Act No. 61, Twenty-first Legislative Assembly.

not less than five in such single district, and not less than three for each district composing a Union district, shall be posted, one of which shall be upon the door of the school house in each district, at least ten days before said election. Said election shall be conducted in the manner prescribed by law for conducting elections to vote upon the levying of a school district tax.

90. The ballots at such elections shall contain the words, "For High School," and the voter shall write or print thereafter on the ballot the word "yes," or the word "no." It shall be the duty of the officers of such elections to report the result to the County Superintendent of Schools.

91. If a majority of such votes be cast in favor of a High School, it shall be the duty of the County Superintendent to call a mass meeting of the qualified voters in such single district, or of the school districts uniting, within fifteen days, for the purpose of locating the said High School. He shall cause public notices to be posted in each district as aforesaid, and said meeting shall be conducted in the manner prescribed in Section 51.

92. In any single district or Union High School districts, which have determined to establish such High Schools, an annual tax shall be levied by the authorities whose duty it is to levy taxes in counties, cities, or incorporated towns, the amount of said tax being estimated by the County Superintendent of Schools, and by him certified to the proper authorities on or before the first day of July of each year. And it shall be the duty of such authorities to levy such a rate upon the property in said single district, or Union High School district, as will produce the amount estimated to be necessary for such purpose.

SEC. 93. "The Board of Education to have charge of the high school shall consist—

"1. In any single high school district of the three School Trustees of such district.

"2. In any union high school district of five (5) trustees, three of whom shall be residents of the school district in which the high school is situated. The other

two members shall be residents of the remaining territory of the union district. All trustees shall be qualified electors of the Union High School district, and shall be elected at the time and in the manner and for the term of office that School Trustees are elected. The returns shall be certified by the officers of election to the County School Superintendent, who shall canvass the returns from all the districts and declare those candidates elected who have received the largest total number of votes in all the voting precincts situated within the Union High School district, and shall notify them of their election within three days; provided, however, that no trustees of any of the school district composing the Union District shall be elected as Trustee of the Union High School. On the last Saturday of March, 1903, there shall be elected in each Union High School District five Trustees, two of whom shall hold office for one year, two for two years and one for three years. Every year thereafter there shall be elected a Trustee or Trustees to fill the office made vacant by those terms of office which have expired; provided, that nothing herein contained shall affect the present term of office of any Trustee of a Union High School heretofore elected.

SEC. 2. That Section ninety-six (96), Chapter ten (10) Title nineteen (19) of the Revised Statutes of the Territory of Arizona be, and the same is hereby amended to read as follows: "Applicants, residents of any single district or Union High School District, shall be admitted to the High School upon a certificate from the teacher of the district in which they may reside, showing that they have completed the course of study in the text books prescribed by law for the eighth grade of the Public Schools. The Superintendent or Supervising Principal of the High School shall exercise supervision over the work of the eighth grade in all the schools situated in the Union High School District. Non-residents otherwise qualified may be admitted on the same condition as residents upon paying a reasonable tuition fee to be fixed by the Board in charge of the school."

Approved March 18th, 1903.

94. Said Board of Education shall elect a Chairman

and Clerk at the first meeting held after the election of the Board, and each year thereafter, after the regular annual election, and shall notify the County Superintendent of the result of their action. For the management of the High Schools, the Board shall have all the powers and duties that are now or may hereafter be vested in School Trustees.

95. The course of study of such High Schools shall be prescribed by the High School Board, subject to approval by the Territorial Board of Education, and shall be such as, when completed, shall prepare its students for admission into the Territorial University.

96. Applicants, residents of any single district or Union School district, shall be admitted to the High School upon passing an examination to be conducted by the principal of the High School. Non-residents, otherwise qualified, may be admitted upon the same conditions as residents, upon paying a reasonable tuition fee, to be fixed by the Board in charge of the school.

AN ACT

AN ACT TO PROVIDE FOR INSTRUCTION IN MANUAL TRAINING IN THE SCHOOLS OF ARIZONA.

Be it Enacted by the Legislative Assembly of the Territory of Arizona :

SECTION 1. That in all school districts within the Territory of Arizona, instruction may be given in the subjects of Manual Training and Domestic Science; provided, that such subjects can be pursued without excluding or neglecting the subjects previously provided for by law.

SEC. 2. Boards of School Trustees in all districts now having two hundred (200) children of school age, according to the last school census, or which shall hereafter have two hundred (200) children of school age, according to any subsequent annual school census, are hereby authorized and empowered to employ a special teacher or teachers of Manual Training or Domestic Science, or both, if they

deem it for the best interest of their school district; provided, that no Board of Trustees shall employ more than one such teacher for each one hundred (100) pupils in average daily attendance in their district.

Sec. 3. The Course of Study for said Manual Training or Domestic Science Courses shall be prescribed by the Board of Trustees authorizing the same, subject to the approval of the Territorial Board of Education.

Sec. 4. The Board of Supervisors of each county shall annually, at the time of levying other taxes, levy such additional school tax upon the taxable property within such School Districts as will be sufficient to pay the salaries of such Manual Training and Domestic Science teachers as may be employed in their county, together with necessary expenses for materials to be used in such instruction; provided, such amount, when added to the other county school taxes levied, does not exceed the maximum county school tax allowed by law; and said Manual Training and Domestic Science taxes shall be collected and paid into the county treasury in the same manner as other county school taxes. Any Board of School Trustees intending to employ such teacher or teachers must notify, in writing, both the County Superintendent of Schools and the Board of Supervisors, on or before the first day of July, the amount necessary for salaries and for materials for such instruction for the ensuing year.

SEC. 5. Any Manual Training or Domestic Science teacher, who is a graduate of a Manual Training or Domestic Science School, and who has had not less than one year's successful experience in teaching such subject, and is of good moral character, must be licensed to teach such subject by the Territorial Board of Education. If a Manual Training or Domestic Science teacher cannot so qualify, then such teacher must pass such examination in the subject of Manual Training or Domestic Science, as the Territorial Board of Education may prescribe.

SEC. 6. No pupil who is a bona fide resident of any District in which a special teacher of Manual Training or Domestic Science is employed, shall be required to pay

tuition in any district which shall employ a special teacher for such subject.

SEC. 7. This Act shall take effect and be in force from and after its passage.

Approved March 3, 1905.

CHAPTER ELEVEN.

PUPILS.

SEC. 97. All children between the ages of six and twenty-one years who are residents of this Territory, must be admitted into the schools of this Territory.

98. All pupils must comply with the regulations, pursue the required course of study, and submit to the authority of the teachers of the school.

99. Continued open defiance of the authority of the teacher and habitual profanity and vulgarity constitute good causes for expulsion from school.

100. Any pupil who cuts, defaces or otherwise injures any school house or outbuildings thereof is liable to suspension or expulsion, and upon the complaint of the teacher or Trustees, the parents or guardians of such pupils shall be liable for all damages.

101. Every parent, guardian or other person in the Territory of Arizona, having control of any child or children between the ages of eight and fourteen years, shall be required to send such child or children to a public school, or private school taught by a competent instructor, for a period of at least twelve weeks in each year, six weeks of which time shall be consecutive; provided, that such parent, guardian or other person having control of such child or children shall be excused from such duty by the School Board of the district whenever it shall be shown to its satisfaction that one of the following reasons exists therefor, to-wit:

1. That such child is taught at home by a competent instructor in such branches as are usually taught in the public schools.

2. That such child has already acquired the branches of learning taught in the public schools.

3. That such parent, guardian or other person is not able by reason of poverty to properly clothe such child.

4. That such child is in such physical or mental condition (as declared by a competent physician, if required by the Board) to render such attendance inexpedient or impracticable.

5. That there is no school taught the requisite length of time within two and one-half miles of the residence of such child by the nearest traveled road; provided, that no child shall be refused admission to any public school on account of race or color.

102. Any parent, guardian or other person failing to comply with the provisions of Section 101 of this Title shall be deemed guilty of a misdemeanor, and upon conviction be fined in a sum not less than five and not more than twenty-five dollars for such offense; said action shall be prosecuted in the name of the Territory of Arizona before any Court of competent jurisdiction, and all fines so collected shall be paid into the county treasury and placed to the credit of the school fund of the district in which the offense occurs.

103. It shall be the duty of the Clerk of each school district, not later than twenty days after the commencement of each school term, to furnish a Deputy Sheriff, Constable, City Marshal or other peace officer with a list of names of all children between eight and fourteen years of age not in attendance at school; and any District Clerk failing to furnish such list within the time specified herein, shall be guilty of a misdemeanor and liable to a fine in any sum not to exceed ten dollars for each offense, and such fine when collected shall be paid into the county treasury and placed to the credit of the school fund of the district in which the offense occurs.

104. It shall be the duty of the said Sheriff, Constable, City Marshal or other peace officer of the precinct in which said school district is located, to inquire into such cases of neglect of the duties prescribed in this Title.

and ascertain from the person neglecting, the reason, if any, therefor; and if there be no legal excuse shown, shall forthwith proceed to secure the prosecution of any offense occurring under this Title; and any Deputy Sheriff, Constable, City Marshal or other peace officer neglecting to secure the prosecution of such offense, within ten days after receiving the list mentioned in Section 103, unless the person so complained of shall be excused by the Board of Trustees for the reasons hereinbefore stated, shall be deemed guilty of a misdemeanor and liable to a fine in any sum not to exceed fifty dollars; and such fine, when collected, shall be paid into the county treasury and placed to the credit of the school fund of the district in which the offense occurred.

105. If, upon the trial of any offense as charged in Section 104, it shall be made to appear to the satisfaction of the Court or Judge trying the same that such prosecution was malicious, then the costs in such case shall be adjudged against the complainant or person instituting such proceedings and collected as fines in other cases.

CHAPTER TWELVE.

TEACHERS.

SEC. 106. The holders of diplomas issued by the Territorial Board of Education, or by the Board of Education of the Normal Schools of Arizona, are eligible to teach in any public school of the Territory.

107. Holders of Territorial certificates are eligible to teach as follows:

1. Those of the first grade, in grammar schools.
2. Those of the second grade, in primary schools and as assistants in grammar schools, except in the first grade.

108. Every teacher in a public school must:

1. Before assuming charge of a school, file his or her certificate with the County School Superintendent.
2. On taking charge of a school, or when closing a

term of school, immediately notify the County School Superintendent of such fact.

3. Enforce the course of study, the use of text-books and the rules and regulations prescribed for schools.

4. Hold pupils to a strict account for disorderly conduct on the way to and from school, exercise a supervision over pupils on the play grounds and during recess, suspend from school for good cause any pupil, and report such suspension to the Board of Trustees for review. If such action is not sustained by them, the teacher may appeal to the County School Superintendent, whose decision shall be final.

5. Keep a school register, which shall be carefully preserved by the Board of Trustees as one of the records of the school.

6. To furnish monthly reports to the County School Superintendent upon the blanks prescribed by the Superintendent of Public Instruction.

7. To make an annual report to the County School Superintendent at the time, and in the manner, and on the blanks prescribed by the Superintendent of Public Instruction. Any teacher who shall end any school term before the close of the school year, shall make a report to the County School Superintendent immediately after the close of such term; and any teacher who may be teaching any school at the end of the school year, shall in his or her annual report include all statistics for the entire school year, notwithstanding any previous report for a part of the year.

8. To make such other reports as may be required by the Superintendent of Public Instruction, County School Superintendent or Board of Trustees.

109. In case of the dismissal of any teacher before the expiration of any contract entered into between such teacher and Board of Trustees, for alleged unfitness or incompetence, the teacher may appeal to the County School Superintendent, whose decision shall be final, if suit be not brought thereon in a Court of competent jurisdiction.

110. No warrants shall be drawn in favor of any teacher who does not hold a certificate or diploma granted by lawful authority. All certificates heretofore legally issued shall be and remain in force until the time for which they were granted shall have expired. (As amended by Act No. 61 of the Twenty-first Legislative Assembly.)

111. No person is eligible to teach in any public school in this Territory, or to receive a certificate to teach who has not attained the age of eighteen years.

112. Any teacher who shall use any sectarian or denominational books, or teach any sectarian doctrine, or conduct any religious exercises in his school, or who shall fail to comply with any of the provisions mentioned in this Title, shall be deemed guilty of unprofessional conduct, and it shall be the duty of the proper authority to revoke his or her certificate or diploma.

113. It shall be the duty of all teachers to endeavor to impress on the minds of the pupils the principles of morality, truth, justice and patriotism; to teach them to avoid idleness, profanity and falsehood, and to instruct them in the principles of a free government, and to train them up to a true comprehension of the rights, duties and dignity of American citizenship.

CHAPTER THIRTEEN.

DISTRICT LIBRARIES.

SEC. 114. Boards of School Trustees in cities and in districts containing one hundred or more census children, may use the school funds, together with such moneys as may be added thereto by donation, in the purchase of books for school libraries; provided, that the amount so expended from the school fund in one year shall not exceed fifty dollars; and, provided further, that no warrant shall be drawn by the County School Superintendent on the order of any Board of Trustees in payment for any books, unless such order is accompanied by an itemized bill, showing the books and the price of each in payment for which the order is drawn.

115. Libraries are under the control of the Board of Trustees, and must be kept, when practicable, in the school houses. The libraries shall be free to all pupils of a suitable age belonging to the school, and any resident of a district may become entitled to its privileges by the payment of such annual or monthly fee as may be prescribed by the Trustees. The Trustees shall be held accountable for the proper care and preservation of the library, and they shall report to the County School Superintendent, when required, all library statistics, on blanks furnished by the Superintendent of Public Instruction for that purpose.

CHAPTER FOURTEEN.

TERRITORIAL TAX AND COUNTY SCHOOL TAX.

SEC. 116. A tax of three cents upon each one hundred dollars' value of taxable property is hereby levied, and directed to be collected and paid into the Territorial treasury as a special fund for school purposes, to be disbursed as hereinafter provided; said tax to be levied and collected at the same time and in the same manner as other Territorial revenues. It shall be the duty of the Territorial Treasurer to receive and to hold as a special fund all public school moneys paid into the Territorial treasury, and pay them over on a warrant of the Territorial Auditor, issued upon the order of the Territorial Board of Education, countersigned by the Superintendent of Public Instruction, or in case of his absence from the capital of the Territory, by the Governor, in favor of the County Treasurer, or such other person as may be authorized by law to receive the same; which order duly endorsed by the County Treasury, or such other person, shall be a valid voucher in the hands of the Territorial Treasurer for the disbursements of said moneys.

117. All school moneys due each county in the Territory shall be paid over by the Territorial Treasurer to the County Treasurer as follows: On the second Monday of January, June and September, or as soon thereafter as the

County Treasurer may apply for the same, on a warrant of the Territorial Auditor, drawn in conformity with the apportionment of the Superintendent of Public Instruction.

118. The County School Superintendent in each county must, on or before the first day of August of each year, furnish the Board of Supervisors an estimate in writing of the minimum amount of school funds needed for the ensuing year.

119. The Board of Supervisors of each county shall annually, at the time of levying other taxes, levy a county school tax of not less than fifty nor more than ninety cents on each one hundred dollars' valuation of taxable property, which tax shall be added to the county tax, and collected in the same manner, and be paid into the county treasury as a special fund to be drawn upon as hereinafter provided.

120. Said taxes shall be collected as other county taxes are collected, and shall be paid into the treasury of the county to the credit of the county school fund.

121. It shall be the duty of the Treasurer of each county:

1. To receive and to hold as a special fund all public school moneys, whether received by him from the Territorial Treasurer, or raised by the county for the benefit of public schools, or from any other source, and to keep a separate account thereof, and when the same is apportioned among the school districts to open and keep a separate account of each district.

2. On receiving any public school moneys amounting to five hundred dollars, subject to distribution, to immediately notify the County School Superintendent of his county of the amount thereof.

3. To pay over, on the warrants of the County School Superintendent, duly endorsed by the person entitled to receive the same, any or all moneys.

4. On or before the first day of August of each year

to make a report to the Superintendent of Public Instruction showing:

First. The amount of school moneys received from Territorial school fund.

Second. The amount received from county school tax.

Third. The amount received from other sources.

Fourth. Total expenditures for school purposes.

Fifth. Balance on hand at close of school year.

122. In case of the failure or neglect of said County Treasurer to make such report or give such notice as is required in subdivision 2 of this section, he shall be liable to the county of which he is Treasurer in the sum of five hundred dollars; and it is hereby made the duty of the District Attorney of said county, upon the direction of the Board of Supervisors of said county, to bring suit in the name of said county against such Treasurer for the recovery thereof, and any money collected under the provisions of this Section shall be paid into the county school fund.

123. No Treasurer, ex-officio Tax Collector nor Tax Collector in any of the counties of this Territory shall be allowed any percentage, fee or compensation whatever for collecting, receiving or disbursing any school moneys derived from the sale of school bonds of their respective counties or of the school districts thereof, nor for performing any official duty in connection with the issuing or sale of such bonds.

124. No Treasurer, ex-officio Tax Collector nor Tax Collector in any of the counties of this Territory shall receive any percentage, fee or compensation for collecting or receiving any school moneys in their respective counties, whether derived from taxation or otherwise.

125. The Treasurers of the various counties of this Territory shall receive one per cent upon all school moneys disbursed by them respectively, other than school moneys derived from the sale of school bonds, mentioned in Section 123 of this Title, which percentage shall be in full for all services performed by them in connection with such

moneys; provided, that no commission whatever shall be received by a Treasurer who receives a salary.

CHAPTER FIFTEEN.

SPECIAL SCHOOL DISTRICT TAX.

SEC. 126. When the Territorial and county money to which any district is entitled is not sufficient to build or rent suitable buildings, and to pay for keeping a school in such district for at least three months in each year, it is hereby made the duty of the Trustees of such district to levy a direct tax upon the taxable property in such district sufficient to raise an amount, which, together with the Territorial and county money to which said district is entitled, will keep a school open five months in each year, and the Board of Trustees of any school district, when in their judgment it is advisable, may call an election and submit to the qualified voters of the district the question whether a tax shall be levied to keep a school open a longer period than the ordinary funds will allow, or for building an additional school house or houses, or for all these purposes. Such election shall be called by posting notices in three of the most public places in the district for twenty days. Said notices shall contain the time and place of holding the election, the amount of money proposed to be raised, and the purpose for which it is intended to be used. The Board of Trustees shall appoint three judges to conduct the election, and it shall be held in all other respects, as near as practicable, in conformity with the general election law; provided, that no registration shall be necessary to entitle a person to vote at such election, and no person shall be entitled to vote thereat, who is not a taxpayer in the district. At such election the ballot shall contain the words, "Tax, yes," or, "Tax, no," and also the name of one person as Assessor and Collector. If two-thirds of the votes cast are "Tax, yes," the officers of the election shall certify the fact to the Board of Trustees, and shall also certify the name of the person having the plurality of votes for Assessor and Collector. The Board of

Trustees shall issue a certificate of election, and the Assessor shall forthwith, from the last duplicate tax-roll of the county, make a list of all taxable persons and property in the district, and within thirty days he shall return his roll, footed up, to the Board of Trustees. The Board of Trustees, upon receiving the roll, shall deduct fifteen per cent therefrom for anticipated delinquencies; and then, by dividing the sum voted, together with the estimated cost of assessing and collecting added thereto, by the remainder of the roll ascertain the rate per cent required; and the rate so ascertained shall be and is hereby levied and assessed to, on or against the persons or property named or described on said roll, and it shall be a lien on all such property until the tax is paid; and said tax, if not paid within the time limited in the next succeeding Section for its payment, shall be collected in the same manner and with the same costs as delinquent Territorial and county taxes are collected; provided, however, that nothing in this Section shall be construed as authorizing the Board of School Trustees of any district to levy a direct special tax on the taxable property of said district for the purpose of continuation of schools therein, if there has been sufficient funds to have already maintained a school for a period of eight months during that school year; and, provided further, that in all school districts located a distance of twenty miles or more from the county treasury, it may be lawful for the Board of School Trustees of such school district to designate some competent and responsible person to act as Treasurer in receiving and properly disbursing the funds collected and turned over to him from said special school tax. Such person shall execute a good and sufficient bond to the Territory of Arizona for the use and benefit of the said school district, in an amount to be determined by the Board of School Trustees, conditioned on a faithful and honest discharge of his duties, and the paying of all warrants drawn on him by the Board of School Trustees, but no warrant shall be drawn on this special fund unless the money shall be actually in the hands of the Treasurer.

127. As soon as the rate of taxation has been deter-

mined, as provided in the preceding Section, the Board of Trustees shall place the tax list in the hands of the Collector, who shall give such bonds as may be required by the Board of Trustees, and he shall then proceed to collect the tax, and shall, within sixty days return the roll to the Board of Trustees with the word "paid" marked opposite the name of each person or description of property from whom or which he has received the taxes, and he shall at the same time file with the Board of Trustees the County Treasurer's receipt for all moneys by him collected, and the person or property on the roll not by the Collector marked "paid" shall be deemed delinquent, and the Board of Trustees shall order said Collector to proceed to collect the delinquent taxes in the manner described in the last preceding section, and said roll or any certified copy thereof shall have the same force in evidence as a duplicate or delinquent tax-roll of Territorial or county taxes. All moneys collected from a district tax in any school district shall be paid into the county treasury and placed to the credit of such district. The County School Superintendent shall, upon the order of the Trustees of such district, draw his warrant upon the County Treasurer for such moneys or any part thereof. The compensation of the Assessor and Collector shall be fixed by the Board of Trustees and be paid in the same manner as the expenses for supporting schools in the district are paid; provided, that wherever the words, "County Treasurer," or "county treasury," occur in this section, they shall not be deemed or taken to apply to those districts located a distance of twenty miles or more from the county seat, and wherein a special tax has been levied and collected, and where the Trustees have appointed a special Treasurer, as provided in the preceding Section of this Title.

CHAPTER SIXTEEN.

APPORTIONMENT OF SCHOOL FUNDS.

128. The School Superintendent of each county must apportion all school moneys as follows:

1. He shall apportion \$400.00 to every district having more than ten and less than twenty census children, and \$500.00 to every district having more than twenty children. When any pupils are admitted to any public school without the district in which such pupils reside, the teacher in charge of the school which such pupils attend shall keep a separate record of the attendance of such pupils, designating each district from which each pupil comes, and report the same to the County School Superintendent, and, in apportioning the moneys in the school fund among the several school districts in the county, such attendance shall be taken and deemed attendance within the district in which such pupils reside; provided, that if a majority of any school board sign a certificate of transfer of any pupil from the district in which such pupil resides to any other district, then the County Superintendent, for the purpose of apportionment, shall deem such attendance as belonging to the district in which such pupil attends.

2. He must then ascertain the average attendance of each school during the previous school year, and apportion to each district showing an average attendance of more than twenty-five children, not less than \$20.00 per capita upon the average attendance in excess of twenty-five; provided, the total amount thus to be apportioned does not exceed the limit of the levy provided by law, and in case such amount does exceed the limit provided by law, he shall apportion as herein provided such an amount as will come within the limit prescribed; provided, that where in any county there may be a school district in which the number of children does not equal ten, then the School Superintendent may, upon application being made, by the heads of families in such district, make apportionment as provided.

3. On or before the 1st day of July of each year the County Superintendent shall submit to the Board of Supervisors an estimate of the amount of money that will be required to maintain the schools during the next school year. It shall then be the duty of the Board of Supervisors to make the levy as already provided; provided, that

after determining the amount that will be required, based upon the average attendance of the preceding year, they shall add five per cent thereto, which five per cent shall constitute a reserved fund to be apportioned as follows, to-wit: Whenever school has been maintained in any district having an average attendance of more than twenty-five children for a period of five months, it shall appear that the average attendance is greater than it was during the preceding year, the County Superintendent shall apportion to said district, out of the reserve fund, so much of said fund as said district is entitled to under the provisions of this Title; provided, that if the amount of money in the reserve fund is insufficient to meet the demands of all the districts showing an increased attendance over the preceding year, then said reserve fund shall be apportioned pro rata among the several districts entitled to the same; provided, that in no case shall the apportionment from the reserve fund on account of increased attendance be greater pro rata than the regular apportionment for the same year; provided, further, that if at the end of any school year there remain any part of the reserve school fund unexpended, then the County School Superintendent shall place said remaining portion in the general school fund and apportion the same in the usual manner of apportioning the general school fund.

4. That all school moneys remaining on hand at the end of the school year, to the credit of any district, or in the reserve fund, after making the apportionment as heretofore required, shall remain to the credit of such district for the ensuing year or years.

5. It is hereby made the duty of the Clerk of the Board of Trustees of each district, at the end of each term or school year, to make to the County Superintendent, under oath, a full and complete return of the number, names and days of attendance of each child who attended school in his district during the term or school year just closed, as shown by the school register, for the purpose of enabling the School Superintendent to make the apportionments herein directed and required. Said report to

the Superintendent shall be preserved and remain on file in the office of said Superintendent.

129. If any new school district shall be duly organized and shall cause to be filed with the County Superintendent, on or before the first day of July, a sworn statement of the Clerk of the Board of Trustees of the district stating the number of children of school age residing in the district and the probable average attendance, said district shall be entitled to its pro rata of the apportionments heretofore provided for, and if for one month at any time within the first five months the average attendance in said district shall fall below eight, said district shall lapse, and all money that may be in the treasury to the credit of said district shall be turned into the reserve fund, subject to apportionment as provided for.

130. If in any school district there shall be an average attendance for three months of less than eight pupils, such district shall lapse, and the money in the treasury of the county belonging thereto shall go into the reserve fund subject to apportionment as heretofore provided for.

CHAPTER SEVENTEEN.

GENERAL PROVISIONS RELATIVE TO SCHOOL FUNDS AND TAXES.

SEC. 131. All moneys which shall accrue to the Territory by the sale of personal or real property of an escheated estate or from the rents or profits of lands or tenements held as escheated shall be paid into the Territorial school fund of this Territory to be used only as the Territorial school fund is now or shall hereafter be authorized to be used by law.

132. All moneys arising from fines, forfeitures and gambling licenses shall be immediately transmitted as soon as collected by the officer receiving the same to the County Treasurer for the credit of the county school fund; provided, that nothing in this Title shall affect or apply to any municipal fine, forfeiture or license under the ordinances of any incorporated village or city of this Territory.

133. Any officer neglecting or failing to comply with the provisions of the preceding section shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be fined in any sum not more than three hundred dollars, or imprisonment in the county jail for not more than three months, or by both such fine and imprisonment. All fines arising under the provisions of this section shall be placed to the credit of the county school fund.

CHAPTER EIGHTEEN.

TEXT BOOKS.

SEC. 134. In the adoption of text books the Territorial Board of Education shall be governed by the following rules:

1. Any books hereafter adopted as a part of the uniform series of text books must be continued in use for not less than four years.

2. No change of text books must be made at any other time than in the month of July or August of the year in which the change is made, and no change shall be made to take effect until the beginning of the next school term of that year.

3. At least sixty days' notice of any proposed change of text books must be given by publication in a newspaper of general circulation published in this Territory; provided, no change shall be made without the recommendation in writing of a majority of the County School Superintendents of the Territory. Said notice shall state what text books it is proposed to change; that sealed bids or proposals will be received by the Territorial Board of Education for furnishing books to replace them; the place where, and the day and the hour when all bids or proposals will be opened, and that the Board reserves the right to reject any or all bids or proposals.

4. At the time and place specified in said notice the

Board shall meet and publicly open and read all of the bids or proposals which have been received by them, and shall make their award thereon within ten days thereafter.

5. Sealed bids and proposals must be accompanied by a sample copy of the books proposed to be furnished, together with a statement of the wholesale and retail price at which the publisher agrees to furnish each book within this Territory during the full time for which said books are to be adopted.

6. If no satisfactory bids or proposals are received, then the books already in use may continue in use until changed as herein provided.

7. The publisher or publishers, whose proposals shall be accepted, must enter into a written contract with the Territorial Board of Education and shall give a good and sufficient bond, in a reasonable sum to be fixed by the Board, for the faithful performance thereof.

135. If the Trustees of any district refuse or neglect to enforce the use of the text books that may be prescribed, or use any other books in any of the prescribed studies, such refusal or neglect shall be deemed a misdemeanor, punishable by a fine not exceeding one hundred dollars, or removal from office, or both.

136. No school officer or teacher in any public school in Arizona must act as agent for any author, publisher, bookseller or other person to introduce any book, apparatus, furniture or any other article whatever, in the public schools of this Territory, or any one or more of them, or directly or indirectly contract for or receive any gift or reward for so introducing or recommending the same, and any officer or teacher so acting or receiving must be deemed guilty of misdemeanor, and on conviction be punished by fine not exceeding one hundred dollars, or by imprisonment not to exceed three months, and be removed from office. And if the guilty party is a school teacher, in addition to such fine or imprisonment, that he or she be removed from his or her school, and his or her certificate be revoked by the Territorial Board of Examiners.

137. This Act shall take effect and be in force from and after April 1, 1901. (As amended by Act No. 61 of the Twenty-first Legislative Assembly, entitled, An Act to Amend Chapters Ten, Twelve and Eighteen of Title Seventeen—Education—of An Act to Revise and Codify the Laws of Arizona. Approved March 20, 1901.)

Approved March 15, 1901.

ACT NO. 61.

AN ACT TO AMEND CHAPTERS TEN, TWELVE AND EIGHTEEN OF TITLE SEVENTEEN—EDUCATION—OF AN ACT TO REVISE AND CODIFY THE LAWS OF ARIZONA.

Be It Enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. Section 89 of Chapter Ten of Title Seventeen—Education—of an Act entitled, "An Act to Revise and Codify the Laws of Arizona," approved March 15, 1901, is hereby amended by striking out the word *two* in the second line of said section, and inserting in lieu thereof the word *one*.

SEC. 2. Section 110 of Chapter Twelve of Title Seventeen of said Act is hereby repealed, and the following enacted in lieu thereof.

SEC. 110. No warrants shall be drawn in favor of any teacher who does not hold a certificate or diploma granted by lawful authority. All certificates heretofore legally issued shall be and remain in force until the time for which they were granted shall have expired.

SEC. 3. Section 137 of Chapter Eighteen, Title Seventeen of said Act is hereby amended by striking out the word *September* in the last line thereof, and inserting the word *April* in place thereof.

SEC. 4. This Act shall take effect and be in force on and after April 1, 1901.

Approved March 20, 1901.

ACT NO. 34.

AN ACT TO AMEND PARAGRAPH 1536 AND 1537, CHAPTER
EIGHT, TITLE TWENTY, OF THE REVISED STATUTES
OF THE TERRITORY OF ARIZONA.

Whereas, The Senate and House of Representatives of the United States of America, in Congress assembled, did on the 4th day of March, 1898, pass an Act to permit, authorize and legalize the issuance of bonds of chartered municipal corporations having a bona fide population of not less than one thousand persons, as shown by the last school census, taken before any election to be held under the provisions of this Act in any Territory of the United States, for sanitary and health purposes, the construction of sewers, waterworks, and the improvement of streets; and

Whereas, Many of the municipal corporations within the Territory are located within certain school districts and include only a part of the territory and population of such districts, and the school census required by the present law includes only the school children within such district and furnishes no measure or means of ascertaining the total number of people within such municipal corporation:

Now, Therefore, In order that all municipal corporations in the Territory of Arizona, located within, and embracing only a part of, the territory and population of school districts, may be enabled to avail themselves of the provisions of the said Act of Congress, approved March 4th, 1898:

Be it Enacted by the Legislative Assembly of the Territory of Arizona:

That Paragraph 1536 and 1537, Chapter VIII, Title XX, Revised Statutes of Arizona, be and the same are amended to read as follows:

CHAPTER EIGHT.**DISTRICT CENSUS MARSHALS.**

1536. (SEC. 64.) First. It shall be the duty of the Census Marshal to take the census of all the children between six and eighteen years of age in his district.

Second. Where any chartered municipal corporation lies within a school district and comprise a portion only of the territory and inhabitants contained in said district, if such municipal corporation be desirous of securing a complete census of all the inhabitants living within its corporate limits, the Mayor and City Council of such municipal corporation may serve written notice to such effect upon the Trustees of such school district and the Census Marshal at least one week previous to the taking of the school census in the said district, and thereupon it shall be the duty of the Census Marshal to include in the school census a full and complete census of all the inhabitants, whether within school age or otherwise, who are residing within the corporate limits of said municipal corporation; provided, however, that the added expense incident thereto shall be first provided for by the municipal corporation requesting such complete census.

Third. To report the result of his labors to the County School Superintendent on or before the first day of July of the year in which the census is taken.

1537. (SEC. 65.) His report must be made under oath upon blanks furnished by the Superintendent of Public Instruction, and must show:

First. The number, age, sex, color and nationality of children listed, Indian and Chinese excepted.

Second. The names of parents and guardians of said children.

Third. The number of children between the ages of eight and fourteen.

Fourth. The number attending public schools.

Fifth. The number attending private schools.

Sixth. The number not attending school.

Seventh. Such other facts as the Superintendent of Public Instruction may designate.

Eighth. Where any municipal corporation lying within and comprising but a portion of a school district avails itself of the provisions of the preceding paragraph, the number, names, age, sex, color and nationality of all the inhabitants living within the corporate limits of such municipal corporation.

Ninth. Whenever a census of the entire inhabitants of a municipal corporation is taken in conformity with Paragraph 1536, it shall be the duty of the Census Marshal to report the result of his labors to the Mayor and Common Council under which request said census was taken, within thirty days from the completion of such census.

All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

This Act shall take effect and be in force from and after its passage.

Approved March 9, 1901.

ACT NO. 49.

TO ADOPT A TERRITORIAL ANTHEM.

Be it Enacted by the Legislative Assembly of Arizona :

SECTION 1. That the following song be and the same is hereby adopted as the official song of the Territory of Arizona :

HAIL TO ARIZONA, THE SUN-KISSED LAND!

O Arizona, Sun-kissed Land!
Thy day of birth is near at hand!
Upon thy mountains rugged crest,
Thy native sons still call thee blest;
Within thy valleys' broad domain,
In love, thy foster children reign;
Fair Land of gold and sunny peace,
Of flower and vine and rich increase,
Of cloud-kissed hills and wooded wold,
Of countless mines and wealth untold.

CHORUS:

Hail! all hail to Arizona!
Sound her praise from sea to sea!
Land of sun and summer showers,
Land of grain and gold and flowers,
In Columbia's diadem
Of jewels rare thou'lt be the gem,
Hail to Arizona, the Sun-kissed Land!
Primeval stands thy forest grand,
The ancient Zuni's fatherland,
Thy plain and lofty mountain round
Were many moons his hunting ground,
Unbosomed in thy sun's bright ray
His olden ruins slow decay;
Where once the tribes of Ishmael's band
Marauding wandered o'er the land,
The mighty "Phoenix" rose to fame
From the ashes of destruction's flame. (Chorus.)

Hoary with age, thou still art young,
Land of renown with praise unsung;
Nature with a master hand
Hath carved thy wondrous Canyon Grand;
Magician-like her wand she plied,
And lo! thy Forest Petrified;
From craggy peak of Castle Dome,
From Copper Queen to rich Jerome,
She pours her lavish treasure forth
In molten streams of priceless worth. (Chorus.)

Not all thy riches, glorious Land,
Are due alone to Nature's hand,
For man with unremitting toil
Brings forth a bounty from the soil;
From vine-clad hills and limpid streams,
From fruitful vales where plenty teems,
O'er verdant fields he points with pride,
Where flocks and herds are scattered wide,
To schools where art and skill combine,
To homes in love and truth enshrined. (Chorus.)

Proud Land, thy rock-ribbed hills record
The history of a mighty horde;
The onward trend of centuries old
Hath left its imprint strong and bold
On the hearts and lives of thy brave sons,
In the winsome grace of thy fairer ones;
Thy Riders Rough, a valiant band,
With loyal hearts forever stand
To guard the flag that floats above
Thy homes where reign content and love. (Chorus.)

SEC. 2. The Trustees of the various districts of the Territory are hereby required to furnish sufficient copies to their schools to enable the school children to learn and use said song as part of the musical exercises of their schools.

SEC. 3. This Act shall take effect and be in force from and after its passage.

Approved March 16, 1901.

ACT NO. 59.

AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY OF THE SEVERAL COUNTIES OF THE TERRITORY OF ARIZONA SHALL ACT AS ATTORNEY FOR THE SCHOOL DISTRICTS IN HIS COUNTY.

Be it Enacted by the Legislative Assembly of the Territory of Arizona :

SECTION 1. In each of the counties of this Territory, the District Attorney shall act as attorney for all school districts and the Boards of Trustees thereof in his county, without other compensation than his salary as District Attorney.

SEC. 2. This Act shall take effect and be in force from and after its passage.

Approved March 20, 1901.

AN ACT

TO PROVIDE FOR THE EDUCATION OF THE DEAF, DUMB AND BLIND.

Be it Enacted by the Legislative Assembly of the Territory of Arizona :

SECTION 1. There is hereby appropriated, annually, ,

the sum of three thousand dollars (\$3,000), or so much thereof as may be necessary for the education of the deaf, dumb and blind of this Territory, under the direction of the Territorial Board of Education, and the Treasurer shall pay the same on the warrant of the Auditor for that purpose.

SEC. 2. The said Board of Education shall enter into contract with some one of the adjacent States or Territories having an institution for the education of the deaf, dumb and blind, for the education of the deaf, dumb and blind of the Territory of Arizona upon the most economical terms possible.

SEC. 3. It shall be the duty of the Board of Education to ascertain the number of deaf, dumb and blind in the Territory of school age and of sound mind and body whose parents are not able to provide for their education, and as soon as practical thereafter take the necessary steps for their education, as provided for in Section 2 of this Act.

SEC. 4. The State or Territory in which such institution for the education of the deaf, dumb and blind is located, as designated by the said Board of Education, shall be paid from the appropriation made in Section 1 of this Act, of the rate of not to exceed three hundred dollars a year for each scholar's instruction and board, including board during vacation, on the certificate of the Territorial Board of Education, to be furnished to the Territorial Auditor.

SEC. 5. The Territorial Board of Education is authorized to provide for the careful examination of all applicants for admission to the institution designated, and to audit and certify to the Territorial Auditor all accounts for the expenses of designating said institution and conducting examinations, and all contingent expenses attending the same, and the accounts thereof shall be paid from the appropriation for this purpose made in Section 1 of this Act.

SEC. 6. This Act shall take effect and be in force from

and after its passage and approval, an emergency existing therefor.

Approved this 4th day of March, 1895.

SCHOOL LANDS.

(TITLE 1.)

Be it Enacted by the Legislative Assembly of the Territory of Arizona :

SECTION 1. The Boards of Supervisors of the different counties of this Territory are hereby empowered to take control of all University and School Lands donated to this Territory for the said purposes, and they are hereby authorized to lease the same in accordance with the provisions of this Title.

2. A full record of all proceedings of the Boards of Supervisors in regard to said School and University lands shall be kept, and they shall preserve all papers and documents submitted to them, and file the same in their office.

3. The Supervisors shall cause suitable abstracts to be made of all School and University Lands that can be leased in their respective counties, and entered in suitable and well-bound books; such abstracts shall show, in proper columns and pages, the township and range, together with the legal subdivisions, whether timbered or not, improved or unimproved; the kind and nature of the improvements, if any; the character, agricultural or grazing; occupied or unoccupied, and if occupied, by whom; the date of appraisalment of improvements, if any; the date and durance of lease, the amount paid, and such other information as may be necessary.

4. Actual and bona fide settlers or occupants who have placed improvements on School or University Lands shall have the preferred right to lease the land whereon such settlement has been made; and provided, further, that where settlers have resided upon, occupied or cultivated any land reserved for this Territory for School or University purposes prior to the extension of the surveys

of the United States over said lands, or who hold the same or the possession thereof by purchase from the original settlers or their assigns, said original settlers having resided on said lands or cultivated them prior to the survey of the United States, they shall be permitted to continue to hold said land without lease until such time as this Territory is admitted as a State into the Union, and the title to said land can be properly adjudicated, and the State get other lands for such holdings.

5. Improvements within the meaning of this Title shall be held to mean anything permanent in character, the result of labor or capital expended on such land in its reclamation or development, and the appropriation of water thereon, which has enhanced the value of the same beyond what said land would be worth had it been permitted to remain in its original state.

6. Anyone occupying School or University lands refusing or not wishing to lease said land, and other parties making application so to do, the Board of Supervisors shall appoint three disinterested persons, householders and citizens of the Territory, living adjacent to said land and engaged in agricultural pursuits, if said land is agricultural in character, and engaged in stock raising, if the land should be grazing, to go upon said lands and appraise the value of the improvements and appurtenances thereon, as set forth in Section 5 of this Title, and make due return of said appraisal to the Supervisors, under oath, and they shall file the same, and the party wishing to lease shall pay to the Board of Supervisors the amount of such appraisal and the per diem of the appraisers, before the Board of Supervisors shall execute a lease to him of said lands. The money so paid for such improvements the Supervisors shall pay to the occupant of the land when he shall vacate said land and give possession to the lessee. Anyone refusing to give possession to the same after due notice by the Board of Supervisors is hereby declared to be a trespasser, and shall be proceeded against by the District Attorney for forcible entry and detainer.

7. The appraisers shall be entitled to one dollar each per day, and only allowed for one day for making any

appraisement of the improvements and sending to the Supervisors said returns.

8. The Supervisors shall have power to reject any appraisement not in accordance with this Title, and if it should be rejected for cause, the appraisers shall not be entitled to any pay. If two or more parties should make application to lease the same land, the Board of Supervisors shall lease to the one paying the highest premium for the privilege thereof; provided, however, that any occupant shall have preferment at the price bid.

9. Each lease shall contain a covenant that the lessee will promptly pay the rental in advance annually; that no waste shall be committed on the land, and that the premises shall be surrendered at the expiration of the term of the lease, and that a failure to pay the agreed rental for a period of one month from the time that such rental is due will work a forfeiture of said lease. Any lessee or any assignee of any lessee who is in default for the non-payment of rental due the Territory for a period of one month after said rental is due, shall be notified by the Supervisors, by registered letter, of such default, and if in one month after service of such notice such delinquent or assign has not paid said rental so delinquent and has procured no extension of time as provided in this Title, his lease shall be forfeited, and such forfeiture shall be noted on the records of the Supervisors. Any person whose lease has been forfeited may, however, be relieved from such forfeiture at any time before the land has been again leased, by paying all arrears of rental and five per cent penalty thereon, and such money shall be paid into the school fund.

10. The lessee of any School or University Lands shall not be allowed to cut for barter or sale, or use more timber therefrom than is necessary for the improvement of such land or for fuel or family use, excepting it was planted thereon by the party leasing or by his predecessor. Any person or persons, firm or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor and fined not less than one hundred

(\$100.00) dollars and not more than three hundred (\$300.00) dollars for each and every offense.

11. The Board of Supervisors shall collect from each lessee the sum of one (\$1.00) dollar for executing said lease, said money to be paid into and become a part of the funds received from leasing School and University Lands.

12. For making certified copies of papers and records, the same fees shall be collected and charged as are charged by the Secretary of the Territory; and all such moneys shall be disposed of as is provided in Section 11 of this Title.

13. It shall be the duty of the different County Assessors to make returns of all School and University Lands worth assessing in the several counties, and to place a value on said lands as patented lands adjoining of like character, and as though they were assessing them to owners; and also to state if said lands are occupied, and if so, by whom; also amount and kind of improvements, together with the legal subdivisions, township and range. And said Assessors shall make return of such assessments to the Boards of Supervisors at the same time and in the same manner that returns are made of other lands. There shall be stated in such return the assessed value of all legal subdivisions of such lands. The Supervisors shall, upon receipt of said return, proceed to lease said land to any citizen of this Territory, or anyone who has declared his intention to become such, but not more than one section to any one man, or corporation or company, upon the payment to the Board of Supervisors of not more than two and one-half per cent of the amount of such valuation, which shall be the rental value of said land each year. Anyone paying such amount annually shall be entitled to a lease of such land for a term not exceeding five years, or until the admission of the Territory into the Union as a State.

14. The Supervisors shall have power to revise and correct any assessment when found necessary.

15. Anyone wishing to lease any School or University Land shall make application to the Supervisors, in writing, on blanks to be furnished by the Board of Super-

visors, giving a description of the land, where located, section, township, range and county, and stating if occupied, if so, by whom; and the Supervisors upon receipt of said application, shall notify, if said land is not occupied, the party wishing to lease, the leasing value of said land. If said lands are occupied, the Supervisors shall notify the occupant of said land that he must, to keep possession of said land, pay said leasing value and take a lease of said land, or that the Supervisors will proceed to appoint appraisers to appraise said improvement. At any time prior to the payment of the appraisement value of the improvements and cost of appraisement to the Supervisors by the party wishing to lease, the party occupying said land can hold possession by taking a lease and paying the dues of the appraisers.

16. Anyone occupying School Land and cultivating or grazing the same and refusing to lease or pay any rent, said rent will become a lien upon any crops or personal property he or they may own, and the same may be collected as personal property taxes are collected by the County Assessors.

17. The Territorial Superintendent of Public Instruction is hereby required to prepare or cause to be prepared and have printed the book and blanks, in proper form and necessary number as in his judgment are required under the provisions of this Title to supply the needs of the various counties.

18. The Territorial Auditor is hereby authorized to draw his warrant for said Superintendent out of any money that is in the Territorial treasury, out of said school fund, and he shall furnish said blanks and books to the Boards of Supervisors in such number and quantities as in his judgment they will require, or upon a requisition signed by the Clerk of the Board of Supervisors of any county. He shall report to the Territorial Treasurer annually, on or before the first day of January, showing the cost of books and blanks, the number furnished to each county, the total number printed, and such other information as he may deem necessary.

19. The Supervisors shall at the end of each month

pay into the Territorial treasury all moneys collected, and must state in their report to the Treasurer the amount of funds received from School Lands and the amount from University Lands.

20. The Supervisors shall, on or before the first day of December in each year, make an extended report to the Territorial Treasurer, showing the amount of land leased in their respective counties, the value of lands, to what fund they belong, and the total amount leased in each county, and the expense, if any, and the amount of money turned into the School and University Funds. Said report shall contain such other information as they may consider necessary.

21. The Territorial Treasurer shall, on or before the first day of January of every year, report to the Territorial Auditor the total amount of School and University Lands leased, the number of acres of each and their value, and the amount of money turned into each fund.

22. Anyone making permanent improvements on School or University Lands after leasing the same shall have them appraised and be allowed compensation therefor at the expiration of lease; or anyone having to surrender leased lands before expiration of lease shall be entitled to all the benefits of this section.

23. All Acts in conflict herewith are hereby repealed, and this Act shall be in force from and after September 1, 1901.

ARBORICULTURE.

(TITLE 4.)

Be it Enacted by the Legislative Assembly of the Territory of Arizona :

SECTION 1. In the counties of Apache, Navajo, Coconino, Mohave and Yavapai the Friday following the first day of April in each year, and in all other counties of this Territory the Friday following the first day of February

in each year shall hereafter be known as Arbor Day, and shall be observed as a holiday.

2. It shall be the duty of the Governor to make proclamation setting forth the provisions of the preceding section, and recommending that the Arbor Day established be observed by the people of the Territory of Arizona in the planting of trees, shrubs and vines, in the promotion of forest and orchard growth and culture, in the adornment of public and private grounds, places and ways, and in such other efforts and undertakings as shall be in harmony with the character of the day so established.

3. In order that the children in our public schools shall assist in the work of adorning the school grounds with trees, and to stimulate the minds of children towards the benefits of the preservation and perpetuation of our forests and the growing of timber, it shall be the duty of the authorities in every public school in the Territory of Arizona to assemble the pupils in their charge on the above day in the school building or elsewhere, as they may deem proper, and to provide for and conduct, under the general supervision of the County School Superintendents, to have and to hold such exercises as shall tend to encourage the planting, protection and preservation of trees and shrubs, and an acquaintance with the best methods to be adopted to accomplish such results; and that the trees may be planted around the school buildings, and that the grounds around such buildings may be improved and beautified; such planting to be attended with appropriate and attractive ceremonies, that the day may be one of pleasure as well as one of instruction for the young; all to be under the supervision and direction of the teacher, who shall see that the trees and shrubs are properly selected and set.

4. The County School Superintendent of each county shall from year to year prescribe a course of exercises and instructions in subjects hereinbefore mentioned, which shall be adopted and observed by said public school authorities on Arbor Day.

5. This Act shall take effect and be in force from and after September 1, 1901.

EXTRACTS FROM PENAL CODE.

SECTION 587. Penalty for insulting a teacher.

SEC. 588. Disturbing school.

SEC. 589. If trustees refuse to enforce use of text books, etc., punishment of.

SEC. 590. Trustees must not be interested in contract, punishment for.

SEC. 591. Penalty for making false report. Teacher, trustee, treasurer, census marshal or any school officer.

SECTION 587. Any parent, guardian or other person who shall insult or abuse any teacher in the presence of the school shall be guilty of a misdemeanor, and be liable to a fine of not less than fifty nor more than one hundred dollars, or by imprisonment not exceeding three months.

SEC. 588. Any person who shall wilfully disturb any public school or any public school meeting shall be guilty of a misdemeanor and be liable to a fine of not less than fifty nor more than one hundred dollars, or by imprisonment not exceeding three months.

SEC. 589. If the trustees of any district refuse to enforce the use of the text books that may be prescribed, or use any other books in any of the prescribed studies, such refusal or neglect shall be deemed a misdemeanor, punishable by a fine not exceeding one hundred dollars or by imprisonment not to exceed three months, and removal from office.

SEC. 590. No school trustee shall be interested, directly or indirectly, in any contract made by the Board of Trustees of which he is a member, and any contract made in violation of this section shall be null and void, and any Trustee so interested shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not to exceed three hundred dollars or imprisonment in the county jail for three months, or by both such fine and imprisonment, and be removed from office.

SEC. 591. Any teacher, trustee, treasurer, census marshal or school officer who shall knowingly make a false report to the County School Superintendent or to the Superintendent of Public Instruction shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not to exceed five hundred dollars or imprisonment in the county jail for three months, or by both such fine and imprisonment.

FORMS NOT SUPPLIED IN THE SHAPE OF BLANKS.**No. 1.***Form of notice of annual election of School Trustees.***ELECTION NOTICE.**

(See Section 43.)

Notice is hereby given to the qualified electors of
 School District No., County of
, that the annual school meeting for
 the election of a School Trustee will be held on the last
 Saturday in March, 190....., at the public school house of
 said district. The polls will be open between the hours of
 9 o'clock a. m. and 4 o'clock p. m.

.....

 School Trustees.

Dated.....190.....

NOTE.—This notice must be posted not less than fifteen days before the day
 of election.

No. 2.

*Form of notice or advertisement of a district election for voting a
 tax to furnish additional school facilities, etc.*

ELECTION NOTICE.

Notice is hereby given to the qualified electors of
 School District No., County of
, Territory of Arizona, that an election
 will be held on the day of, at
 which will be submitted the question of voting a tax to
 maintain a free school (or build a school house.)

It will be necessary to raise for this purpose the sum
 of \$

The polls will be open at the public school house
 between the hours of and

.....

 District School Trustees.

Dated.....190.....

NOTE.—The date must be twenty days before election.

71

Form of a petition of parents and guardians who desire to form a new district from parts of one or more old ones.

To,County Superintendent of Schools,
.....County:

NAME.	NAME.
.....
.....
.....

<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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RULES AND REGULATIONS

FOR THE GOVERNMENT OF THE PUBLIC SCHOOLS OF ARIZONA TERRITORY, ADOPTED BY THE TERRITORIAL BOARD OF EDUCATION.

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| 1. Teacher present at school room. | 12. Pupils must have books; indigent children. |
| 2. Daily school session, recess, etc. | 13. Injury to school property. |
| 3. Session in primary and ungraded schools. | 14. Cleanliness and neatness. |
| 4. Detention of pupils. | 15. Contagious diseases. |
| 5. Responsibilities of principals and teachers. | 16. Books used and studies pursued. |
| 6. Care of pupils during recesses. | 17. Teacher to read regulations. |
| 7. Care of pupils going and returning. | 18. Calisthenics and breathing exercises. |
| 8. Rules for yards, buildings, etc. | 19. Supplies to be provided. |
| 9. Ventilation and temperature; supervision over text books. | 20. Janitor. |
| 10. Pupils to be registered. | 21. Teacher to report to County Superintendent. |
| 11. Excuses for absence, tardiness, etc. | 22. School register must be properly kept. |

1. The teachers are required to be present at their respective school rooms and to open them for the admission of the pupils at fifteen minutes before the time prescribed for commencing schools and to observe punctually the hours for opening and closing school.

2. The daily school session shall commence at 9 o'clock a. m. and close at 4 o'clock p. m., with an intermission at noon of one hour, from 12 m. to 1 o'clock p. m. There shall be allowed a recess of twenty minutes in the forenoon session—from 10:40 to 11 o'clock; and a recess of twenty minutes in the afternoon session—from 2:40 to 3 o'clock. When boys and girls are allowed separate recesses, fifteen minutes shall be allowed for each recess.

3. In graded primary schools in which the average age of the pupils is eight years, the daily session shall not exceed four hours a day, exclusive of the intermission at noon and inclusive of the recesses. If such schools are opened at 9 o'clock a. m., they shall be closed at 2 o'clock p. m. In ungraded schools all children under eight years of age shall be either dismissed after a four hours' session, or allowed recesses for play of such length that the actual confinement in the school room shall not exceed three hours and a half.

4. No pupil shall be detained in school during the

intermission at noon, and a pupil detained at any recess shall be permitted to go out immediately thereafter. All pupils, except those detained for punishment, shall be required to pass out of the school rooms at recess, unless it would occasion an exposure of health.

5. Principals and teachers shall be held responsible for the general management and discipline of their schools and the studies pursued; and the assistant teachers shall follow the directions of the principals and co-operate with them, not only during school hours but during the time when the pupils are on the school premises before and after school and during recesses. Assistants shall be held responsible for the studies, order and discipline of their own rooms under the general direction of the principals.

6. Teachers are particularly enjoined to devote their time faithfully to a vigilant and watchful care over the conduct and habits of the pupils during the time for relaxation and play before and after school and during the recesses, both in the school buildings and on the play grounds.

7. It is expected that the teachers will exercise a general inspection over the conduct of the scholars going to and returning from school. They shall exert their influence to prevent all quarreling and disagreement, all rude and noisy behavior in the streets, all vulgar and profane language, all improper games, and all disrespect to citizens and strangers.

8. Teachers shall prescribe such rules for the use of yards, basements and outbuildings connected with the school houses as shall insure their being kept in a neat and proper condition, and shall examine them as often as may be necessary for such purpose. Teachers shall be held responsible for any want of neatness and cleanliness about their school premises.

9. Teachers shall give vigilant attention to the ventilation and temperature of their school rooms. At each recess the windows and doors shall be opened for the purpose of changing the atmosphere of the room. Teachers are required to exercise reasonable supervision over the

text books of the pupils, to inspect the same from time to time and prevent their defacement or wanton destruction.

10. Teachers shall enter in the school register, in the order of their application, the names of all those applying for admission to the school after the prescribed number of pupils has been received. Such applicants shall be admitted to seats whenever a vacancy occurs in any class for which they have been found duly qualified, in the order of their registration.

11. Teachers shall require excuses from the parents or guardians of pupils, either in person or by written note, in all cases of absence or tardiness or of dismissal before the close of school. Sickness of the pupils or in the family, or some urgent cause rendering attendance and punctuality impossible or extremely inconvenient, shall be regarded as the only legitimate excuse for absence or tardiness.

12. No pupil shall be allowed to retain connection with any public school unless furnished with books, slates, and other utensils required to be used in the class to which he belongs; provided, that no pupil shall be excluded for such cause unless the parent or guardian shall have been furnished by the teacher with a list of books or articles needed, and one week shall have elapsed after such notice without the pupil obtaining said books. Books may be furnished to indigent children by the Trustees at the expense of the district, whenever the teacher shall have certified in writing that the pupil applying is unable to purchase such books.

13. Any pupil who shall in any way cut or otherwise injure any school house, or injure any fences, trees or out-buildings belonging to any of the school estates, or shall write any profane or obscene language, or make any obscene pictures or characters on the school premises shall be liable to suspension, expulsion or other punishment, according to the nature of the offense. The teacher may suspend a pupil temporarily for such offense, and shall notify the Trustees of said action. Pupils shall not be allowed to remain in any of the rooms that are provided with improved styles of furniture, except in the presence of a teacher or a monitor, who is made especially

responsible for the care of the seats and desks. All damage done to school property by any of the pupils shall be repaired at the expense of the party committing the trespass. Within one week of any damage to school property, teachers shall notify the Trustees or be held personally responsible.

14. All pupils who go to school without proper attention having been given to personal cleanliness or neatness of dress, shall be sent home to be properly prepared for school, or shall be required to prepare themselves for the school room before entering. Every school room shall be provided with a washbasin, soap and towels.

15. No pupils affected with any contagious disease shall be allowed to remain in any of the public schools.

16. The books used and the studies pursued shall be such, and such only, as may be authorized by the Board of Education; and no teacher shall require or advise any of the pupils to purchase for use in the schools any book not contained in the list of books directed and authorized to be used in the schools.

17. It shall be the duty of the teachers of the schools to read to the pupils, from time to time, so much of the school regulations as apply to them, that they may have a clear understanding of the rules by which they are governed.

18. In all primary schools exercises in free calisthenics and vocal and breathing exercises shall be given at least twice a day and for a time not less than from three to five minutes for each exercise.

19. The following supplies shall be provided by the District Clerk, under the provisions of Section 87, on the written requisition of the teachers, viz: Clocks, brooms, dusting brushes, wash basins, water buckets, tin cups, dustpans, matches, ink, ink bottles, pens, penholders, pencils, crayon chalk, handbells, coal buckets or wood boxes, shovels, pokers, soap, towels, thermometers, door mats and scrapers.

20. Trustees are required to employ a suitable person

to sweep and take care of the school house, and they shall make suitable provision for supplying the school with water.

21. It shall be the duty of the teachers to report to the County Superintendent the books used in their schools, together with the number of pupils in the several divisions of each grade. This report must be made at the beginning and close of each school session or year.

22. The District Clerk, at the close of each term of school, or whenever a teacher is discharged, shall certify on the back of the order for the last month's salary that the school register has been properly kept.

RULES FOR PUPILS.

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| 1. Must attend regularly, etc. | 5. Absence for one week deprives pupils of membership. |
| 2. Excuse for absence. | 6. Each scholar to have desk. |
| 3. To be placed in grade below when. | |
| 4. Pupils may leave school when. | |

1. Every pupil is expected to attend school punctually and regularly; to conform to the regulations of the school and to obey promptly all the directions of the teacher; to observe good order and propriety of deportment; to be diligent in study, respectful to teachers and kind and obliging to schoolmates; to refrain entirely from the use of profane and vulgar language, and to be clean and neat in person and clothing.

2. Pupils are required in all cases of absence to bring, on their return to school, an excuse in writing from their parents or guardians, assigning good and sufficient reasons for such absence.

3. All pupils who have fallen behind their grade by absence or irregularity of attendance, by indolence or inattention, shall be placed in the grade below at the discretion of the teacher.

4. No pupil shall be permitted to leave school at recess, or at any other time before the regular hour for closing school, except in case of sickness or on a written request of parent or guardian.

5. Any scholar who shall be absent one week without giving notice to the teacher shall lose all claim to his particular desk for the remainder of the term and shall not be considered a member of the school.

6. Each scholar shall have a particular desk and shall keep the same and the floor beneath in a neat and orderly condition.

INSTRUCTIONS TO TEACHERS.

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| 1. Should become acquainted with parents, etc. | 5. How to conduct a recitation. |
| 2. Make special preparation. Morals, manners, deportment. | 6. Teacher should be interested and animated. |
| 3. Explanation of lessons. | 7. Excessive or cruel punishment. |
| 4. Text books for reference only. Original work. | |

1. Teachers will endeavor to make themselves acquainted with parents and guardians in order to secure their aid, and co-operation, and to better understand the temperaments, characteristics and wants of the children.

2. Teachers shall daily examine the lessons of their various classes and make such special preparation upon them, if necessary, as not to be constantly confined to the text book; and instruct all their pupils, without partiality, in those branches of school studies which their various classes may be pursuing. In all their intercourse with their scholars they are required to strive to impress on their minds, both by precept and example, the great importance of continued effort for improvement in morals, manners and deportment, as well as in useful learning.

3. Teachers should explain each new lesson assigned, if necessary, by familiar remarks and illustrations, that every pupil may know, before he is sent to his seat, what he is expected to do at the next recitation and how it is to be done.

4. Teachers should only use the text book for occasional reference, and should not permit it to be taken to the recitation to be referred to by the pupils, except in cases of such exercises as absolutely require it. They should

assign questions of their own preparing, involving an application of what the pupils have learned to the business of life.

5. Teachers should endeavor to arouse and fix the attention of the whole class, and to occupy and bring into action as many of the faculties of their pupils as possible. They should never proceed with the recitation without the attention of the whole class, nor go round the class with recitation always in the same order or in regular rotation.

6. Teachers should at all times exhibit proper animation themselves, manifesting a lively interest in the subject taught; avoid all heavy, plodding movements, all formal routine in teaching, lest the pupil be dull and drowsy and imbibe the notion that he studies to recite.

7. Any teacher who may inflict excessive or cruel punishment upon pupils will be subject to removal and Boards of Trustees must, upon complaint of parent or guardian, at once investigate, and if in their judgment this rule has been violated, inflict the penalty.

RULES FOR DISTRICT LIBRARIES.

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| 1. Librarian, duties of. | 7. Losing or destroying a book. |
| 2. Shall be open when. | 8. Refusing to pay penalty. |
| 3. Who entitled to privileges. | 9. Librarian must report. |
| 4. Not entitled to two books. | 10. Non-resident entitled to library privilege when. |
| 5. Must not loan books. | |
| 6. Must not retain books; penalty for doing so. | |

1. The librarian appointed by the Trustees shall properly label and number each book in the district library and keep a catalogue of the same, showing the title and number of each book.

2. The library shall be open for drawing and returning books (here insert such time as may be determined by the Trustees and librarian).

3. Every child attending school shall be entitled to the privileges of the library; but when the number of

books is insufficient to supply all the pupils, the librarian shall determine the manner in which books may be drawn.

4. No person shall be entitled to two books from the library, and no family shall draw more than one book while other families wishing books remain unsupplied.

5. No person shall loan a library book to anyone out of his own house under a penalty of fifty cents for each offense.

6. No person shall retain a book from the library more than two weeks under a penalty of ten cents for each day he may so retain it, and no person may draw the same book a second time while any other person wishes to draw it.

7. Any person losing or destroying a library book shall pay the cost of such book and a fine of fifty cents, and any person injuring a book by marking, tearing or unnecessarily soiling it, shall be liable to a fine of not less than ten cents nor more than the cost of the book, to be determined by the librarian.

8. Any person refusing or neglecting to pay any penalty or fine shall not be allowed to draw any book from the library.

9. The librarian shall report to the Trustees quarterly the amount of fines imposed and collected and the amount received for membership dues, and all moneys accruing from these sources shall be expended for the purchase or repair of books.

10. Any person, other than pupils attending, resident in the school district, may become entitled to the privileges of the school library by the payment of an annual or monthly fee, as prescribed by the Trustees.

GRADE OF SCHOOLS, ETC.

1. The Course of study, adopted by the Board of Education, in September, 1899, under the authority of

Subdivision Fourth of Section 3, Chapter 1, of the School Laws, clearly defines a primary, a grammar and a high school. Each grade covers a period of four years. The advanced course, outlined in said course of study, is intended for country or village schools, and the studies enumerated therein are authorized to be taught in addition to those required by law, but such additional studies shall not be pursued to the neglect or exclusion of the studies enumerated in Section 85 of the School Law.

2. The words "first grade" in Subdivision 2 of Section 107 is construed to mean the fourth year of the grammar grade, as outlined in the course of study; hence holders of second grade territorial certificates are eligible to teach in primary schools and to act as assistants in grammar schools, except in the last year of the grammar school course.

3. The Board of Education has not adopted text books for use in the advanced course, and until such adoption has been made, Boards of Trustees are at liberty to make their own selections, subject, however, to the approval of the County School Superintendent.

